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UNIVERSITY OF THE STATE OF NEW YORK.

THE UNIVERSITY MANUAL.

AUTHORIZED EDITION.

379
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1887

PREFATORY NOTE.

The present compilation of the laws and ordinances relating to the Regents of the University, and to the academies and colleges under their supervision, has been included in the annual report of the Regents to the Legislature. The edition published in 1882 has been entirely exhausted, and it has become necessary to issue parts of it at least for the information of those engaged in the management of the institutions under the care of the Regents. The chapters relating to the State Library, the State Museum, Teachers' Classes, and other subjects heretofore included in the University Manual, have for the present been omitted from this republication. It is hoped that when a complete University Manual is again published, the modifications which are now in contemplation will be complete and the whole may be included.

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LAWS AND ORDINANCES

RELATING TO THE

UNIVERSITY OF THE STATE OF NEW YORK.

Chapter I.

Organization of the University and the Powers and Duties of the Board of Regents.

I. LAWS.

1. University of the State of New York.

An university is instituted in this State, of which the government is, and shall continue to be, vested in a Board of Regents. (1 R. S. 456, § 1.)

2. Name and corporate powers.

This university is incorporated under, and is, and shall be known by, the name of "The Regents of the University of the State of New York," and by that name shall have perpetual succession, power to sue and be sued, to make and use a common seal and alter the same at pleasure, to hold property, real and personal, to the amount of the annual income of forty thousand bushels of wheat, and to buy and sell, and otherwise dispose of, lands and chattels. (*Idem*, § 2.)

3. Number of Regents.

The Regents are twenty-three in number, including the Governor, Lieutenant-Governor, Secretary of State and Superintendent of Public Instruction, who are members of the board by virtue of their offices. (*Idem*, § 3; *Laws of* 1842, ch. 142; 1854, ch. 97, § 5.)

4. Regents, how appointed and removed.

With the exception of the Governor, Lieutenant-Governor, Secretary of State and Superintendent of Public Instruction, the Regents are appointed* by the Legislature, and may be removed by a concurrent resolution of the Senate and Assembly. (1. R. S. 457, § 4.)

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*The appointment by the Legislature is as follows: The Senate and Assembly each openly nominate one person for each of those offices respectively, or for such of them as are then to be filled; after which, they meet together; if the nominations are found to agree, the person nominated is declared to be appointed; if the nominations do not agree, the appointment is then made by the joint ballot of the Senators and Members of Assembly. (R. S. part 1, chap. 5, title 3, § 5.)

5. Vacancies, how supplied.

All vacancies happening in the offices of those so appointed shall be supplied by the Legislature, in the manner in which the State officers are directed to be appointed, in the fifth chapter of this act. (1 R. S. 104, § 5; 457, § 5.)

6. No Regent to act as trustee and no trustee as Regent.

No trustee of a college or academy, shall act as a Regent of the University, and no Regent of the University shall act as trustee of any college or academy; and if any such trustee shall be appointed a Regent, or a Regent shall be appointed a trustee, he shall elect in which office he will serve, and give notice of such election to the authority by which he shall be appointed, within sixty days from the time of his appointment, otherwise such appointment shall be void. (1 R. S. 464, § 53.)

7. No president or principal to be a Regent.

No president, principal, or other officer of any such college or academy, shall be a Regent of the University. (*Idem*, § 52.)

8. Non-attendance of Regents.

If any Regent shall not attend at least once at any of the meetings of the Regents to be held during any session of the Legislature, when by law they are required to meet, without some just cause satisfactory to the Board of Regents, such non-attendance shall be deemed a resignation of their seats, and it shall be the duty of the Regents to report to the Legislature, from time to time, the names of the members whose seats shall thus become vacant, to the end that the same may be supplied. (*Laws of* 1815, ch. 207; 1845, ch. 179, § 3.)

9. Officers.

The officers of this corporation shall be a Chancellor, a Vice-Chancellor, a Treasurer and Secretary, and an Assistant Secretary; all of whom shall be chosen by the Regents, by ballot; a plurality of votes being sufficient to a choice. They shall hold their respective offices during the pleasure of the board. The Treasurer and Secretary, and the Assistant Secretary shall each receive an annual salary, to be fixed by the board, not exceeding three thousand five hundred dollars for the Treasurer and Secretary and three thousand dollars for the Assistant Secretary, from and beginning with January first, eighteen hundred and eighty-seven. (1 R. S. 457, § 6; amended by ch. 652, *Laws of* 1887.)

The Chancellor, and if he shall be absent, the Vice-Chancellor, and if both be absent, the senior Regent in the order of appointment, shall

preside at all meetings of the Regents, and have a casting vote in case of a division. (*Idem*, § 7.)

The Treasurer shall keep an account of all moneys by him received and paid out. (1 R. S. 457, § 12.)

The Secretary shall keep a journal of the proceedings of the Regents, in which the ayes and noes on all questions shall be entered, if requested by any one of the Regents present. (*Idem*, § 13.)

10. Meetings of Regents.

There shall be an annual meeting of the Regents on the evening of the second Thursday in January, in every year, at the Senate chamber in the Capitol. (1 R. S. 457, § 8.)

All meetings, except adjourned meetings, shall be held at such time and place as the Chancellor, or in case his office be vacant, or he be absent from the State, the Vice-Chancellor, or if he be also absent, or the offices of both be vacant, the senior Regent in the State, shall appoint. (*Idem*, § 9.)

A meeting shall be ordered and called by the officer authorized to appoint the same, as often as three Regents, in writing, so request; and the order shall be published in the State paper at least ten days prior to the meeting. (1 R. S. 457, § 11.)

11. Quorum for the transaction of business.

Six Regents attending, shall be a board for the transaction of business; and the Regents present, whether a quorum or otherwise, shall have power to adjourn from time to time, not exceeding ten days at a time. (*Idem*, § 10, *Laws of* 1853, ch. 184, § 5.)

12. Access to books and papers.

Each Regent may always have access to, and be permitted to take copies of, all the books and papers of the corporation. (*Idem*, § 14.)

13. Power to make by-laws.

The Regents shall have power to make such by-laws and ordinances as they shall judge most expedient, for the accomplishment of the trust reposed in them. (1 R. S. 458 § 16.)

14. Copies of records may be read in evidence.

Copies of and extracts from any and all records, books, papers, documents, files and manuscripts in the possession or custody of the Regents of the University as such, or as trustees of the State Library, or otherwise, in their official capacity, and duly authenticated under the hand of the Chancellor or Secretary, and under the common seal of

the said Regents, as a true copy of such original and of the whole thereof as aforesaid, may be used and read in evidence in all courts and places in this State, with the same force and effect as the originals might be, if produced. (*Laws of* 1870, ch. 60, § 1.)

15. Grants to Regents.

Grants made to the Regents for certain uses and purposes, shall not be applied, either wholly or in part, to any other uses. (1 R. S. 458, § 17.)

16. Regents may confer degrees.

The Regents shall have the right of conferring, by diploma under their common seal, on any person whom they may judge worthy thereof, such degrees, above that of master of arts, as are known to, and usually granted by, any college or university in Europe.* (1 R. S. 458, § 18.)

And the said Regents are hereby authorized to establish examinations as to attainments in learning of any persons applying for admission to the same, to prescribe rules and regulations for the admission of candidates to said examinations, and for conducting them, and to confer and award such degrees, honorary testimonials or diplomas to persons who satisfactorily pass such examinations, as the said Regents may deem expedient. (*Laws of* 1877, ch. 425, § 6.)

17. Honorary degree of M. D.

The Regents of the University may in their discretion confer the honorary degree of doctor of medicine upon such persons, not to exceed four in any one year, as may be recommended to them for that purpose, by the Medical Society of this State, but such honorary degree shall in no case be a license to practice physic or surgery.† (*Laws of* 1840, ch. 366.)

18. Power of visitation.

The Regents are authorized and required, by themselves or their committees, to visit and inspect all the colleges and academies in this State, examine into the condition and system of education and discipline therein, and make an annual report of the state of the same to the Legislature, within ten days after the opening of the session in each year. (1 R. S. 457, § 15, *Laws of* 1855, ch. 50, § 3.)

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*The trustees of the New York College of Dentistry have power to grant the degree of "doctor of dental surgery," and "fellow of the college of dentistry," with the *consent of the Regents*. (*Laws of* 1865, ch. 264, § 5; 1867, ch. 243.)

†Similar privileges are extended to the Homœopathic Medical Society and the Dental Society of this State. (Laws of 1862, ch. 268, § 3; 1868, ch. 152, § 14.

The Regents of the University shall have full power to examine by themselves or their Secretary, into the manner in which all institutions of learning subject to their visitation are conducted, to the end that they may report the same to the Legislature. (*Laws of* 1857, ch. 527, § 3.)

19. Power to send for persons and papers.

The Regents of the University of the State of New York, and any committee thereof, in the discharge of any duty required by law, or by resolution of the Senate or Assembly, may require any proof or information relating thereto, to be verified by oath, and shall for such purposes (and no other) have the powers now by law vested in any committee of either House authorized to send for persons and papers. (*Laws of* 1839, ch. 226; 1 R. S. 158.)

20. Annual report of Regents.

The Regents shall annually, within ten days* after the opening of the session in each year, report to the Legislature an abstract of all the returns made to them, embracing a general view of the particulars contained therein, and shall also state in their report, the distribution made by them, during the preceding year, of the income of the Literature Fund, the names of the seminaries sharing in such distribution, and the amount received by each. (1 R. S. 459, § 28; *Laws of* 1855, ch. 50, § 3.)

II. ORDINANCES.

1. Meetings of the Board of Regents.

The annual meeting of the board provided by law shall be held at 8 o'clock on the evening of the second Thursday in January, in the Senate chamber; and by weekly adjournments the meetings of the board shall be continued during the session of the Legislature.

A semi-annual meeting shall be held at the time of the University Convocation, to commence at 10 o'clock on the morning of the first day of such Convocation, and to be continued by adjournments during the Convocation.

There shall be also a meeting of the board at 4 o'clock on the

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* By chapter 588, Laws of 1886, the time of presentation of the annual report of the Board of Regents was changed as follows: "All annual reports of State officers, and State boards, and of all institutions, commissions, and of all societies and bodies which are now required by law to be made annually to the Legislature in January, shall hereafter be made on or before the first day of February in each year and shall be placed in the hands of the printer by the fifteenth of December preceding shall be printed before transmission or presentation."

Wednesday preceding the annual meeting; and the standing committees of the board, when required, shall meet for the transaction of business on the Thursday of the annual meeting.

2. Standing committees.

There shall be appointed each year at the annual meeting of the board the following standing committees, to which the several matters pertaining to the business of the board shall be referred, and who shall be charged in the recess of the board with the care of the special matters as herein specified. The Secretary of the board shall in each case be the secretary of the committee, and shall keep such records of its action as may be required:

1. A committee on the incorporation of colleges and academies, to have charge of business relating to the granting of charters and amendments to charters, and to the admission of institutions to the visitation of the board.

2. A committee on the State Museum of Natural History, to have charge of the affairs intrusted to the Regents as trustees of the Museum.

3. A committee on the State Library, to have charge of the affairs intrusted to the Regents as trustees of the Library, including matters relating to the local law libraries placed under the care of the Regents or required by law to report to them.

4. A committee on the distribution of the Literature Fund, to have charge of business growing out of the apportionment of the amount appropriated from the Literature Fund among the academies under the visitation of the board, and to present the annual schedule of such apportionment.

5. A committee on academic examinations, to have charge of the examinations held in the academies under visitation.

6. A committee on appropriations for books and apparatus, to have charge of the business of making grants to academies from the sums appropriated by the Legislature for the purchase of books and apparatus, and to present to the board, at the annual meeting, the schedule of such apportionment.

7. A committee on the instruction of common school teachers, to have charge of the business pertaining to the appointment of academies to instruct classes of common school teachers, and to the supervision of such classes.

8. A committee on the annual report, to present to the board, a report to be made to the Legislature, including abstracts and schedules drawn from the returns made by the several colleges and academies in their annual reports.

9. A committee on the visitation of colleges and academies, to arrange for and report to the board the visits by the members or officers of the board.

10. A committee on finance, to supervise the administration of the funds appropriated or intrusted to the board and to make an annual statement of the several accounts during the year ending on the thirtieth day of September.

11. A committee on legislation and printing, to have charge of the business requiring applications to the Legislature, and to the printing required for the board.

12. A committee on degrees, to have charge of the business relating to the conferring of honorary degrees, or degrees granted on examination.

3. University Convocation.

1. There shall be held annually at the Capitol in Albany on the first Tuesday after the fourth day of July, a meeting of the persons connected with the secondary and superior institutions of learning in the State, to be known as the University Convocation of the State of New York.

2. The objects of this Convocation shall be to secure an interchange of opinions on the subject of education and of literature, science and art, and to advance their standard in this State; to harmonize the workings of the State system of education; and, by essays, treatises, discussions and resolutions, on subjects connected with literature, science and art and with the credit, interest and welfare of the University and the institutions composing it, to recommend to such institutions and to the Regents, for their consideration, such action as may be expedient and lawful.

3. The membership of the Convocation shall embrace:

(1.) The members of the Board of Regents.

(2.) All instructors in colleges, normal schools, academies and higher departments of public schools that are subject to the visitation of the Regents, and the trustees of all such institutions.

(3.) The president, first vice-president, and the recording and corresponding secretaries of the New York State Teachers' Association.

4. The Chancellor of the University, or in his absence the Vice-Chancellor, shall be the presiding officer of the Convocation and the secretaries of the Board of Regents shall be the permanent secretaries of the Convocation, with power in each case to substitute others to perform their duties respectively for a period not longer than one day.

5. There shall be an executive committee of the Convocation, consisting of seven members, to be appointed by the Regents, and

announced at the close of each Convocation, to make arrangements for and conduct the business of the succeeding Convocation. The Secretaries of the Board of Regents shall be *ex-officio* members of and secretaries of this committee.

6. There shall also be appointed by the Chancellor at each Convocation a committee on necrology, consisting of three persons, whose duty it shall be to collect notices and make a report in reference to the decease of members or other persons prominent in education during the year.

7. A committee, to be termed the committee on academic examinations, shall be appointed by the Chancellor at the close of each Convocation, whose duty shall be to consider subjects, referred to them from the Regents' office relating to the examinations held in the academies under visitation.

8. The proceedings of the Convocation, together with the several papers and discussions, shall be transmitted to the Legislature each year and printed along with the annual report of the Regents of the University.

III. LISTS OF REGENTS.

1. Regents appointed under the acts of the Legislature of May 1 and November 26, 1784, arranged in the order of seniority as established by the said acts.*

1. Ex-Officio Regents.

The Governor, George Clinton.

The Lieutenant-Governor, Pierre Van Cortlandt.

The President of the Senate for the time being, Abraham Yates, Jr., October 18 to November 29, 1784; January 24 to April 27, 1785; March 27 and 28, 1786; April 4 to May 5, 1786.

The Speaker of the Assembly, John Hathorn, 1784–85; David Gelston, 1785; John Lansing, Jr., 1786; Richard Varick, 1787.

The Mayor of the city of New York, James Duane.

The Mayor of the city of Albany, John Jacob Beeckman, 1784–86; John Lansing, Jr., September 29, 1786–87.

The Attorney-General, Egbert Benson.

The Secretary of State, John Morin Scott.

2. Additional Regents.

(1.) *By the act of May* 1, 1784.

Henry Brockholst Livingston and Robert Harpur, of the city of New York.

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* For a copy of these acts, see edition of University Manual, 1870, pp. 162–193.

Walter Livingston and Christopher Yates, of the county of Albany.

Anthony Hoffman and Cornelius Humphrey, of the county of Dutchess.

Lewis Morris and Philip Pell, Jr., of the county of Westchester.

Henry Wisner and John Haring, of the county of Orange.

Christopher Tappen and James Clinton, of the county of Ulster.

Christopher P. Yates and James Livingston, of the county of Montgomery.

Abraham Bancker and John C. Dongan, of the county of Richmond.

Matthew Clarkson and Rutger Van Brunt, of the county of Kings.

James Townsend and Thomas Lawrence, of the county of Queens.

Ezra L'Hommedieu and Caleb Smith, of the county of Suffolk.

John Williams and John McCrea, of the county of Washington.

(2.) *By the act of November* 26, 1784.

John Jay, John Rodgers, Samuel Provost, John Mason, John H. Livingston, John Ganoe, John Daniel Gros, Morgan Lewis, Johann Ch. Kunze, Leonard Lispenard, Joseph Delaplain, John Cochran, Gershom Seixas, Charles McKnight, Alexander Hamilton, Thomas Jones, John Lawrence, Malachi Treat, John Rutherford, Nicholas Romain, all of New York.

Peter W. Yates, Matthew Visscher, Hunlock Woodruff, all of Albany.

George J. L. Doll, of Ulster.

John Vanderbilt, of Kings.

Thomas Romain, of Montgomery.

Samuel Buel, of Suffolk.

Gilbert Livingston, of Dutchess.

Nathan Kerr, of Orange.

Ebenezer Lockwood, of Westchester.

John Lloyd, Jr., of Queens.

Harmanus Garrison, of Richmond.

Ebenezer Russel, of Washington.

The board organized on the 5th day of May, 1784, by the election of the following officers:

Chancellor.— His Excellency, George Clinton.

Vice-Chancellor.— His Honor, Pierre Van Cortlandt.

Treasurer.— Brockholst Livingston, Esquire.

Secretary.— Robert Harpur, Esquire.

The board remained without change by new appointments until the passage of the act of April 13, 1787.

2. Regents appointed under the act of April 13, 1787, arranged by classes, in the order of succession under each class.

The Governor and Lieutenant-Governor have been *ex-officio* members of the board since its organization; the Secretary of State since the year 1842, and the Superintendent of Public Instruction since the year 1854.

1. EX-OFFICIO REGENTS.

Governors.

George Clinton	1784
John Jay	1795
George Clinton	1801
Morgan Lewis	1804
Daniel D. Tompkins	1807
DeWitt Clinton	1817
Joseph C. Yates	1823
DeWitt Clinton	1825
Martin Van Buren	1829
Enos T. Throop	1831
William L. Marcy	1833
William H. Seward	1839
William C. Bouck	1843
Silas Wright	1845
John Young	1847
Hamilton Fish	1849
Washington Hunt	1851
Horatio Seymour	1853
Myron H. Clark	1855
John A. King	1857
Edwin D. Morgan	1859
Horatio Seymour	1863
Reuben E. Fenton	1865
John T. Hoffman	1869
John A. Dix	1873
Samuel J. Tilden	1875
Lucius Robinson	1877
Alonzo B. Cornell	1880
Grover Cleveland	1883
David B. Hill	1884

Lieutenant-Governors.

Pierre Van Cortlandt	1784
Stephen Van Rensselaer	1795

Jeremiah Van Rensselaer 1801
John Broome 1804
De Witt Clinton 1812
John Tayler 1814
Erastus Root 1823
James Talmadge 1825
Nathaniel Pitcher 1827
Enos T. Throop 1829
Edward P. Livingston 1831
John Tracy 1833
Luther Bradish 1839
Daniel S. Dickinson 1843
Addison Gardiner 1845
Hamilton Fish 1847
George W. Patterson 1849
Sanford E. Church 1851
Henry J. Raymond 1855
Henry R. Selden 1857
Robert Campbell 1859
David R. Floyd Jones 1863
Thomas G. Alvord 1865
Stewart L. Woodford 1867
Allen C. Beach 1869
John C. Robinson 1873
William Dorsheimer 1875
George G. Hoskins 1880
David B. Hill 1883
Edward F. Jones 1886

Secretaries of State.

Samuel Young 1842
Nathaniel S. Benton 1845
Christopher Morgan 1848
Henry S. Randall 1852
Elias W. Leavenworth 1854
Joel T. Headley 1856
Gideon J. Tucker 1858
David R. Floyd Jones 1860
Horatio Ballard 1862
Chauncey M. Depew 1864
Francis C. Barlow 1866
Homer A. Nelson 1868

G. Hilton Scribner 1872
Diedrich Willers, Jr 1874
John Bigelow 1876
Allen C. Beach 1878
Joseph B. Carr 1880
Frederick Cook 1886

Superintendents of Public Instruction.

Victor M. Rice 1854
Henry H. Van Dyck 1857
Victor M. Rice 1862
Abram B. Weaver 1868
Neil Gilmour 1874
William B. Ruggles 1880
Andrew S. Draper 1886

2. Regents Appointed by the Legislature.

1.	John Rodgers, D. D	April 13, 1787.	Deceased.
2.	Joseph C. Yates	Feb. 28, 1812.	Resigned.
3.	Prosper M. Wetmore	April 4, 1833.	Deceased.
4.	John A. Dix, LL. D	Mar. 29, 1876.	Resigned.
5.	Whitelaw Reid	Jan. 17, 1878.	

1.	Egbert Benson, LL. D	April 13, 1787.	Resigned.
2.	John Tayler	Feb. 1, 1802.	Deceased.
3.	John Suydam	Mar. 31, 1829.	Deceased.
4.	Washington Irving	May 9, 1835.	Resigned.
5.	David Buel	Mar. 24, 1842.	Deceased.
6.	Elias W. Leavenworth, LL. D	Feb. 5, 1861.	Deceased.
7.	Carroll E. Smith	Jan. 24, 1888.	

1.	Philip Schuyler	April 13, 1787.	Deceased.
2.	Ambrose Spencer, LL. D	Jan. 28, 1805.	Vacated.
3.	Nathan Williams	Jan. 28, 1817.	Vacated.
4.	Peter B. Porter	Feb. 13, 1824.	Resigned.
5.	John Tracy	April 2, 1830.	Resigned.
6.	William Campbell	Feb. 5, 1833.	Deceased.
7.	Martin Van Buren, LL. D	Feb. 3, 1845.	Resigned.
8.	Jabez D. Hammond, LL. D	May 10, 1845.	Deceased.
9.	George W. Clinton, LL. D	Mar. 6, 1856.	Deceased.
10.	Willard A. Cobb	Feb. 2, 1886.	

1.	Ezra L'Hommedieu	April 13, 1787.	Deceased.
2.	Solomon Southwick	Feb. 28, 1812.	Resigned.
3.	Peter Wendell, M. D.	Feb. 15, 1823.	Deceased.
4.	John N. Campbell, D. D	Mar. 18, 1857.	Deceased.
5.	Alexander S. Johnson, LL. D	April 12, 1864.	Vacated.
6.	Anson J. Upson, D. D., LL. D	Feb. 11, 1874.	

1.	Rev. Nathan Kerr	April 13, 1787.	Deceased.
2.	Lucas Elmendorf	Jan. 28, 1805.	Vacated.
3.	James Thompson	Feb. 7, 1822.	Deceased.
4.	John L. O'Sullivan	Feb. 2, 1846.	Resigned.
5.	Erastus C. Benedict, LL. D	Mar. 22, 1855.	Deceased.
6.	William H. Watson, M. D	Feb. 2, 1881.	

1.	Peter Sylvester	April 13, 1787.	Deceased.
2.	Nathan Smith	Jan. 31, 1809.	Vacated.
3.	Harmanus Bleecker, LL. D	Feb. 7, 1822.	Resigned.
4.	James McKown	April 17, 1834.	Deceased.
5.	Robert G. Rankin	Sept. 22, 1847.	Deceased.
6.	Charles E. Smith	Jan. 22, 1879.	Resigned.
7.	Henry E. Turner	Feb. 2, 1881.	

1.	John Jay, LL. D	April 13, 1787.	Resigned.
2.	Gulian Verplanck	Mar. 30, 1790.	Deceased.
3.	James Kent, LL. D	Feb. 3, 1800.	Vacated.
4.	John Lansing, Jr., LL. D	Jan. 28, 1817.	Deceased.
5.	John P. Cushman	April 2, 1830.	Resigned.
6.	John Lorimer Graham	April 17, 1834.	Resigned.
7.	George William Curtis, LL. D	April 12, 1864.	

1.	Dirck Romeyn, D. D	April 13, 1787.	Resigned.
2.	James Cochran	Feb. 18, 1796.	Resigned.
3.	William A. Duer, LL. D	Feb. 1, 1820.	Resigned.
4.	Robert Troup	Feb. 13, 1824.	Resigned.
5.	Edward P. Livingston	Feb. 20, 1827.	Resigned.
6.	John A. Dix, LL. D	Mar. 23, 1831.	Resigned.
7.	Robert Campbell	Feb. 2, 1846.	Deceased.
8.	Horatio G. Warner, LL. D	Feb. 8, 1871.	Deceased.
9.	William L. Bostwick	Mar. 9, 1876.	

1. James Livingston	April	13, 1787.	Resigned.
2. Abram Van Vechten, LL. D	Jan.	11, 1797.	Resigned.
3. James King	Feb.	15, 1823.	Deceased.
4. Gideon Hawley, LL. D	Feb.	1, 1842.	Deceased.
5. John L. Lewis	Feb.	8, 1871.	

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1. Ebenezer Russell	April	13, 1787.	Resigned.
2. John Woodworth	Mar.	3, 1813.	Resigned.
3. Samuel A. Talcott	Feb.	15, 1823.	Resigned.
4. John Keyes Paige	Mar.	31, 1829.	Deceased.
5. Lorenzo Burrows	Feb.	16, 1858.	Deceased.
6. Daniel Beach	Mar.	18, 1885.	

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1. Lewis Morris	April	13, 1787.	Deceased.
2. Simeon DeWitt	Mar.	13, 1798.	Deceased.
3. Amasa J. Parker, LL. D	Jan.	20, 1835.	Resigned.
4. John V. L. Pruyn, LL. D	May	4, 1844.	Deceased.
5. Leslie W. Russell, LL. D	Jan.	17, 1878.	

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1. Matthew Clarkson	April	13, 1787.	Resigned.
2. Gulian C. Verplanck, LL. D	Jan.	26, 1826.	Deceased.
3. Oswald Ottendorfer	April	14, 1870.	Resigned.
4. James W. Booth	May	14, 1873.	Deceased.
5. Chauncey M. Depew, LL. D	Jan.	31, 1877.	

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1. Rt. Rev. Benjamin Moore, D. D	April	13, 1787.	Resigned.
2. Henry Rutgers	Feb.	15, 1802.	Resigned.
3. Jesse Buel	Jan.	26, 1826.	Resigned.
4. John C. Spencer, LL. D	Feb.	28, 1840.	Vacated.
5. James S. Wadsworth	May	4, 1844.	Deceased.
6. Wm. H. Goodwin, D. D., LL. D	Jan.	24, 1865.	Deceased.
7. Augustus C. George, D. D	Mar.	9, 1876.	Deceased.
8. Orris H. Warren, D. D	April	11, 1877.	

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1. Eilardus Westerlo, D. D	April	13, 1787.	Deceased.
2. Zephaniah Platt	Jan.	15, 1791.	Deceased.
3. Peter Gansevoort, Jr	Feb.	11, 1808.	Deceased.
4. Smith Thompson, LL. D	Mar.	3, 1813.	Resigned.
5. Stephen Van Renssalaer, LL. D	Mar.	16, 1819.	Deceased.
6. Joseph Russell	Feb.	18, 1839.	Resigned.

7.	William C. Bouck	Feb. 3, 1845.	Vacated.
8.	Samuel Luckey, D. D	May 6, 1847.	Deceased.
9.	Francis Kernan	Feb. 10, 1870.	

1.	Rev. Andrew King	April 13, 1787.	Deceased.
2.	Martin Van Buren, LL. D	Mar. 4, 1816.	Resigned.
3.	Gerrit Y. Lansing, LL. D	Mar. 31, 1829.	Deceased.
4.	George R. Perkins, LL. D	Jan. 30, 1862.	Deceased.
5.	Charles E. Fitch	Jan. 31, 1877.	

1.	William Linn, D. D	April 13, 1787.	Deceased.
2.	De Witt Clinton, LL. D	Feb. 11, 1808.	Resigned.
3.	John Greig	Jan. 12, 1825.	Deceased.
4.	Wm. C. Bryant, LL. D., L. H. D	April 15, 1858.	Declined.
5.	George B. Cheever, D. D	Mar. 29, 1859.	Vacated.
6.	J. Carson Brevoort, LL. D	Feb. 5, 1861.	Resigned.
7.	Hamilton Harris	Mar. 18, 1885.	

1.	Jonathan G. Tompkins	April 13, 1787.	Resigned.
2.	Alexander Sheldon	Feb. 11, 1808.	Vacated.
3.	John De Witt, D. D	Jan. 28, 1817.	Resigned.
4.	William L. Marcy, LL. D	April 9, 1823.	Resigned.
5.	Benjamin F. Butler, LL. D	Feb. 14, 1829.	Resigned.
6.	John L. Viele	Feb. 6, 1832.	Deceased.
7.	Erastus Corning	Feb. 5, 1833.	Deceased.
8.	Henry R. Pierson, LL. D	April 24, 1872.	

1.	Rev. John McDonald	April 13, 1787.	Resigned.
2.	Rev. Jonas Coe	Mar. 24, 1796.	Declined.
3.	Rev. Thomas Ellison	Feb. 28, 1797.	Deceased.
4.	Charles Selden	Feb. 18, 1803.	Vacated.
5.	Samuel Young	Jan. 28, 1818.	Resigned.
6.	John McLean	April 8, 1835.	Deceased.
7.	Robert S. Hale, LL. D	Mar. 29, 1859.	Deceased.
8.	St. Clair McKelway	Jan. 10, 1883.	

1.	Fred. Wm. Baron De Steuben	April 13, 1787.	Deceased.
2.	James Watson	Jan. 28, 1795.	Deceased.
3.	Elisha Jenkins	Feb. 11, 1807.	Deceased.
4.	Philip S. Van Rensselaer	Feb. 6, 1849.	Deceased.
5.	Robert Kelly	Mar. 6, 1856.	Deceased.

6. Isaac Parks, D. D	April 7, 1857.	Deceased.
7. John A. Griswold	April 29, 1869.	Deceased.
8. Martin I. Townsend, LL. D	April 24, 1873.	

Cases of resignation	42
Died while in office	57
Places vacated	11
Declined to accept the office	2
Number now in office	19
	131

The total is two more than the whole number of individuals, inasmuch as Martin Van Buren and John A. Dix were twice elected, and twice resigned.

William C. Bryant and Rev. Jonas Coe each declined the office.

Matthew Clarkson, who was named in the act of 1787, held the office thirty-nine years, and his successor, the late Vice-Chancellor Gulian C. Verplanck, forty-four years.

3. Alphabetical List of Regents of the University, from 1784 to 1888, with dates of accession to office.

Thomas G. Alvord, *ex officio*	1865
Horatio Ballard, *ex officio*	1862
Abraham Bancker	1784
Francis C. Barlow, *ex officio*	1866
Allen C. Beach, *ex officio*	1869
Allen C. Beach, *ex officio*	1878
Daniel Beach	1885
John Jacob Beeckman, *ex officio*	1784
Erastus C. Benedict, LL. D	1855
Egbert Benson, *ex officio*	1784
Egbert Benson, LL. D	1787
Nathaniel S. Benton, *ex officio*	1845
John Bigelow, *ex officio*	1876
Harmanus Bleecker, LL. D	1822
James W. Booth	1873
William L. Bostwick	1876
William C. Bouck, *ex officio*	1843
William C. Bouck,	1845
Luther Bradish, *ex officio*	1839
J. Carson Brevoort, LL. D	1861
John Broome, *ex officio*	1804
William C. Bryant, LL. D., L. H. D	1858

David Buel 1842
Jesse Buel 1826
Samuel Buel 1784
Lorenzo Burrows 1858
Benjamin F. Butler, LL. D 1829
John N. Campbell, D. D 1851
Robert Campbell 1846
Robert Campbell, *ex officio* 1859
William Campbell 1833
Joseph B. Carr, *ex officio* 1880
George B. Cheever, D. D 1859
Sanford E. Church, *ex officio* 1851
Myron H. Clark, *ex officio* 1855
Matthew Clarkson 1784, 1787
Grover Cleveland, *ex officio* 1883
De Witt Clinton, LL. D 1808
De Witt Clinton, *ex officio* 1812, 1817, 1825
George Clinton, *ex officio* 1784, 1787, 1801
George W. Clinton, LL. D 1856
James Clinton 1784
James Cochran 1796
John Cochran 1784
Rev. Jonas Coe 1796
Willard A. Cobb 1886
Frederick Cook, *ex officio* 1886
Alonzo B. Cornell, *ex officio* 1880
Erastus Corning 1833
George William Curtis, LL. D 1864
John P. Cushman 1830
Joseph Delaplain 1784
Chauncey M. Depew, *ex officio* 1864
Chauncey M. Depew, LL. D 1877
John De Witt, D. D 1817
Simeon De Witt 1798
Daniel S. Dickinson, *ex officio* 1843
John A. Dix, LL. D 1831
John A. Dix, LL. D., *ex officio* 1873
John A. Dix, LL. D 1876
George J. L. Doll 1784
John C. Dongan 1784
William Dorsheimer, *ex officio* 1875
Andrew S. Draper *ex officio* 1886

James Duane, *ex officio* 1784
William A. Duer, LL. D 1820
Rev. Thomas Ellison 1797
Lucas Elmendorf 1805
Reuben E. Fenton, *ex officio* 1865
Hamilton Fish, *ex officio* 1847
Charles E. Fitch 1877
David R. Floyd-Jones, *ex officio* 1860, 1863
John Ganoe 1784
Peter Gansevoort, Jr 1808
Addison Gardiner, *ex officio* 1845
Harmanus Garrison 1784
David Gelston, *ex officio* 1785
Augustus C. George, D. D 1876
Neil Gilmour, *ex officio* 1874
William H. Goodwin, D. D 1865
John Lorimer Graham 1834
John Greig 1825
John A. Griswold 1869
John Daniel Gros 1784
Robert S. Hale, LL. D 1859
Alexander Hamilton 1784
Jabez D. Hammond, LL. D 1845
John Haring 1784
Robert Harpur 1784
Hamilton Harris 1885
John Hathorn, *ex officio* 1784
Gideon Hawley, LL. D 1842
Joel T. Headley, *ex officio* 1856
David B. Hill, *ex officio* 1883
David B. Hill, *ex officio* 1884
Anthony Hoffman 1784
John T. Hoffman, *ex officio* 1869
George G. Hoskins, *ex officio* 1880
Cornelius Humfrey 1784
Washington Hunt, *ex officio* 1851
Washington Irving, LL. D 1835
John Jay, LL. D 1784, 1787
John Jay, *ex officio* 1795
Elisha Jenkins 1807
Alexander S. Johnson, LL. D 1864
Edward F. Jones, *ex officio* 1886

Thomas Jones 1784
Robert Kelly 1856
James Kent, LL. D 1800
Francis Kernan 1870
Rev. Nathan Kerr 1784, 1787
Rev. Andrew King 1787
James King 1823
John A. King, *ex officio* 1857
Johann Ch. Kunze 1784
Gerrit Y. Lansing, LL. D 1829
John Lansing, Jr., *ex officio* 1786
John Lansing, Jr., LL. D 1817
John Lawrence 1784
Thomas Lawrence 1784
Elias W. Leavenworth, LL. D., *ex officio* 1854
Elias W. Leavenworth, LL. D 1861
John L. Lewis 1871
Morgan Lewis 1784
Morgan Lewis, *ex officio* 1804
Ezra L'Hommedieu 1784, 1787
William Linn, D. D 1787
Leonard Lispenard 1784
Edward P. Livingston 1827
Edward P. Livingston, *ex officio* 1831
Gilbert Livingston 1784
Henry Brockholst Livingston 1784
James Livingston 1784, 1787
John H. Livingston 1784
Walter Livingston 1784
John Lloyd, Jr 1784
Ebenezer Lockwood 1784
Samuel Luckey, D. D 1847
William L. Marcy, LL. D 1823
William L. Marcy, LL. D., *ex officio* 1833
John Mason 1784
St. Clair McKelway 1883
John McCrea 1784
Rev. John McDonald 1787
Charles McKnight 1784
James McKnown 1834
John McLeon 1835
Rt. Rev. Benjamin Moore, D. D 1787
Christopher Morgan, *ex officio* 1848

Edwin D. Morgan, *ex officio* 1859
Lewis Morris 1784, 1787
Homer A. Nelson, *ex officio* 1868
John L. O'Sullivan 1846
Oswald Ottendorfer 1870
John Keyes Paige 1829
Amasa J. Parker, LL. D 1835
Isaac Parks, D. D 1857
George W. Patterson, *ex officio* 1849
Philip Pell, Jr 1784
George R. Perkins, LL. D 1862
Henry R. Pierson, LL. D 1872
Nathaniel Pitcher, *ex officio* 1827
Zephaniah Platt 1791
Peter B. Porter 1824
Samuel Provost 1784
John V. L. Pruyn, LL. D 1844
Henry S. Randall, *ex officio* 1852
Robert G. Rankin 1847
Henry J. Raymond, *ex officio* 1855
Whitelaw Reid 1878
Victor M. Rice, *ex officio* 1854, 1862
John C. Robinson, *ex officio* 1873
Lucius Robinson, LL. D., *ex officio* 1877
John Rodgers, D. D 1784, 1787
Nicholas Romain 1784
Thomas Romain 1784
Dirck Romeyn, D. D., *ex officio* 1787
Erastus Root, *ex officio* 1823
William B. Ruggles, *ex officio* 1880
Ebenezer Russell 1784, 1787
Joseph Russell 1839
Leslie W. Russell 1878
Henry Rutgers 1802
John Rutherford 1784
Philip Schuyler 1787
John Morin Scott, *ex officio* 1784
G. Hilton Scribner, *ex officio* 1872
Gershom Seixas 1784
Charles Selden 1803
Henry R. Selden, *ex officio* 1857
William H. Seward, *ex officio* 1839

Horatio Seymour, *ex officio* 1853, 1863
Alexander Shelden 1808
Caleb Smith 1784
Carroll E. Smith 1888
Charles E. Smith 1879
Nathan Smith 1809
Solomon Southwick 1812
Ambrose Spencer, LL. D 1805
John C. Spencer, LL. D 1840
Frederick William Baron de Steuben 1787
John Suydam 1829
Peter Sylvester 1787
Samuel A. Talcott 1823
James Talmadge, *ex officio* 1825
Christopher Tappen 1784
John Tayler 1802
John Tayler, *ex officio* 1814
James Thompson 1822
Smith Thompson, LL. D 1813
Enos T. Throop, *ex officio* 1829, 1831
Samuel J. Tilden, *ex officio* 1875
Daniel D. Tompkins, *ex officio* 1807
Jonathan G. Tompkins 1787
James Townsend 1784
Martin I. Townsend, LL. D 1873
John Tracy 1830
John Tracy, *ex officio* 1833
Malachi Treat 1784
Robert Troup 1824
Gideon J. Tucker, *ex officio* 1858
Henry E. Turner 1881
Anson J. Upson, D. D., LL. D 1874
Rutger Van Brunt 1784
Martin Van Buren, LL. D 1816, 1845
Martin Van Buren, *ex officio* 1829
Pierre Van Cortlandt, *ex officio* 1784, 1787
John Vanderbilt 1784
Henry H. Van Dyck, *ex officio* 1757
Jeremiah Van Rensselaer, *ex officio* 1801
Philip S. Van Rensselaer 1849
Stephen Van Rensselaer, *ex officio* 1795
Stephen Van Rensselaer, LL. D 1819

Abraham Van Vechten, LL. D 1797
Richard Varick, *ex officio* 1787
Gulian Verplanck 1790
Gulian C. Verplanck, LL. D 1826
John L. Viele 1832
Matthew Visscher 1784
James S. Wadsworth 1844
Horatio G. Warner, LL. D 1871
Orris H. Warren, D. D 1877
James Watson 1795
William H. Watson, M. D 1881
Abram B. Weaver, *ex officio* 1868
Peter Wendell, M. D 1823
Eilardus Westerlo, D. D 1787
Prosper M. Wetmore 1833
Deidrich Willers, Jr., *ex officio* 1874
John Williams 1784
Nathan Williams 1817
Henry Wisner 1784
Stewart L. Woodford, *ex officio* 1867
Hunlock Woodruff 1784
John Woodworth, LL. D 1813
Silas Wright, *ex officio* 1845
Abraham Yates, *ex officio* 1784
Christopher Yates 1784
Christopher P. Yates 1784
Joseph C. Yates 1812
Joseph C. Yates, *ex officio* 1823
Peter W. Yates 1784
John Young, *ex officio* 1847
Samuel Young 1817
Samuel Young, *ex officio* 1842

4. Officers of the Board of Regents, from its Organization in 1784 to to 1888.

Chancellors of the University.

George Clinton ..... May 5, 1784
John Jay ..... January 20, 1796
George Clinton ..... February 15, 1802
Morgan Lewis ..... February 4, 1805
Daniel D. Tompkins ..... February 8, 1808
John Tayler ..... February 3, 1817

Simeon De Witt	March	24, 1829
Stephen Van Rensselaer, LL. D	January	8, 1835
James King	February	12, 1839
Peter Wendell, M. D	January	13, 1842
Gerrit Y. Lansing, LL. D	October	31, 1849
John V. L. Pruyn, LL. D	January	9, 1862
Erastus C. Benedict, LL. D	January	11, 1878
Henry R. Pierson, LL. D	January	13, 1881

Vice-Chancellors.

Pierre Van Cortlandt	May	5, 1874
John Jay	July	17, 1787
John Rodgers, D. D	March	31, 1790
John Tayler	March	14, 1814
Simeon De Witt	February	3, 1817
Elisha Jenkins	March	24, 1829
Luther Bradish	January	13, 1842
Daniel S. Dickinson	January	12, 1843
John Greig	January	9, 1845
Gulian C. Verplanck, LL. D	July	13, 1858
Erastus Corning	April	21, 1870
Erastus C. Benedict, LL. D	August	7, 1872
Henry R. Pierson, LL. D	January	11, 1878
George W. Clinton, LL. D	January	13, 1881
George W. Curtis, LL. D	January	14, 1886

Secretaries.

Robert Harpur	May	5, 1784
Richard Harrison, LL. D	July	17, 1787
Nathaniel Lawrence	April	7, 1790
De Witt Clinton, LL. D	January	21, 1794
David S. Jones, LL. D	January	23, 1797
Francis Bloodgood	March	19, 1798
Gideon Hawley, LL. D	March	25, 1814
T. Romeyn Beck, M. D., LL. D	May	25, 1841
Samuel B. Woolworth, LL. D	December	4, 1855
David Murray, Ph. D., LL. D	January	11, 1880

Assistant Secretaries.

Daniel J. Pratt, Ph. D	January	12, 1866
Albert B. Watkins, Ph. D	January	7, 1885

Officers and Members of the Board of Regents 1888.

Henry R. Pierson, LL.D., *Chancellor of the University,* Albany.
George W. Curtis, LL. D., *Vice-Chancellor* ..... West New Brighton
David B. Hill, *Governor, ex officio* ..... Albany.
Edward F. Jones, *Lieutenant-Governor, ex officio* .. Albany.
Frederick Cook, *Secretary of State, ex officio* ..... Albany.
Andrew S. Draper, *Supt. Public Instruction, ex officio,* Albany.
George W. Curtis, LL. D., 1864 ..... West New Brighton
Francis Kernan, LL. D., 1870 ..... Utica.
John L. Lewis, 1871 ..... Penn Yan.
Henry R. Pierson, LL. D., 1872 ..... Albany.
Martin I. Townsend, LL. D., 1873 ..... Troy.
Rev. Anson J. Upson, D. D., LL. D., 1874 ..... Utica.
William L. Bostwick, 1876 ..... Ithaca.
Chauncey M. Depew, LL. D., 1877 ..... New York.
Charles E. Fitch, 1877 ..... Rochester.
Rev. Orris H. Warren, D. D., 1877 ..... Syracuse.
Leslie W. Russell, LL. D., 1878 ..... Canton.
Whitelaw Reid, 1878 ..... New York.
William H. Watson, M. D., 1881 ..... Utica.
Henry E. Turner, 1881 ..... Lowville.
St. Clair McKelway, 1883 ..... Brooklyn.
Hamilton Harris, 1885 ..... Albany.
Daniel Beach, 1885 ..... Watkins.
Willard A. Cobb, 1886 ..... Lockport.
Carroll E. Smith, 1888 ..... Syracuse.
David Murray, Ph. D., LL. D., *Secretary* ..... Albany.
Albert B. Watkins, Ph. D., *Assistant Secretary* .... Albany.

Chapter II.

Concerning Colleges.

I. LAWS.

1. Literary colleges, how incorporated.

Any citizen or citizens, or bodies corporate within this State, being disposed to found a college at any place within the same, he or they shall, in writing, make known to the Regents the place where, the plan on which, and the funds with which, it is intended to found and provide for the same, and who are proposed for the first trustees; and in case the Regents shall approve thereof, then they shall declare their approbation by an instrument under their common seal, and allow a convenient time for completing the same; and if at the expiration of the said time it shall appear to the satisfaction of the Regents that the said plan and propositions are fully executed, then they shall, by act under their common seal, declare that the said college, to be named as the founders shall signify, and with such trustees not exceeding twenty-four, nor less than ten, as they shall name, shall forthwith become incorporated, and shall have perpetual succession, and enjoy all the corporate rights and privileges enjoyed by Columbia College, in and by the act entitled "An act to institute an University within this State, and for other purposes therein mentioned," passed April thirteenth, seventeen hundred and eighty-seven. (*Laws* of 1813, ch 59, § 6; being a re-enactment, almost verbatim, of section 7 of the act of April 13, 1787.)

2. Regents to make rules, etc.

The Regents of the University shall, by general rules and regulations to be established by them from time to time, prescribe the requisites and conditions for the incorporation by them of any college, university, academy or other institution of learning, pursuant to the power vested in the said Regents by the act entitled "An act relative to the university," passed April fifth, eighteen hundred and thirteen, by the Revised Statutes of this State.

The said Regents are hereby empowered at any time by an instrument under their common seal, which shall be recorded in the office of the Secretary of the Board of Regents,* to incorporate any university or college, or any academy, or other institution of learning under such name, with such number of trustees or other managers, and with such powers and privileges and subject to such limitations and restrictions in all respects as may be prescribed by law, or as the said Regents shall deem proper in conformity thereto; and every institution so incorporated, in addition to the powers which may be vested in them as aforesaid, shall have the general powers of a corporation under the Revised Statutes of this State. (*Laws of* 1853, ch. 184, § 1.)

3. Medical colleges, how incorporated.

Any citizens, not less than ten in number, of whom a majority shall be inhabitants of this State, who may desire to found or endow a medical or surgical college or school within this State, may make, sign and acknowledge, before some officer authorized to take the acknowledgment of deeds, a certificate in writing, in which shall be stated the corporate name of the proposed institution, the names of the persons proposed for first trustees, the plan on which and the funds with which it is intended to found and provide for said institution, and the name of the town or city in which it is proposed to locate the same; and shall file such certificate in the office of the Secretary of the Board of Regents,† and transmit a duplicate thereof to the presiding officer of the Regents of the University of the State of New York.

If it shall appear to the satisfaction of the Regents of the University that the sum of fifty thousand dollars has been subscribed in good faith for the endowment of such institution by the valid subscription of responsible parties, and that at least two-thirds of that sum has been actually paid in or secured in such manner as the Regents may approve, to be invested in buildings and site for college, museum, library, apparatus and other needful appurtenances of a medical college, or in bonds and mortgages on unincumbered real estate or stocks of the United States or of this State, they shall by act under their seal, grant a charter pursuant to the provisions of this act for the incorporation of such college (naming therein, as first trustees, the persons specified in said certificate) for a term of five years, with a condition or proviso

* These were previously to 1855 recorded in the office of the Secretary of State. (*Laws of* 1855, ch. 471, § 1.)

† *Laws of* 1855, ch. 471, § 1.

therein, that if, within the said term of five years, the trustees of said college shall present to the Regents satisfactory evidence that there has been paid in and invested, as above prescribed, the whole of said sum of fifty thousand dollars, the charter thereof shall be made perpetual. Upon the fulfillment of said condition, or upon the payment in the first instance of the said sum of fifty thousand dollars, the said Regents shall grant said college a perpetual charter. (*Idem*, § 7.)

4. Amount of property that may be held.

Such college may hold and possess real and personal property to the amount of two hundred thousand dollars; but the funds or property thereof shall not be used for any other purpose than for the legitimate business of such institution, in the promotion of medical and surgical science, and instruction in all departments of learning connected therewith. (*Idem*, § 8.)

5. Subject to visitation of the Regents.

Such college shall be subject to the general provisions of the Revised Statutes, so far as the same are applicable, regulating the practice of physic and surgery within this State. It shall be subject to the visitation of the Regents of the University, and shall make an annual report to them, on oath, of the condition of said college and the various matters required by law to be reported by other colleges and academies, and of the investment of the funds of said college; and if at any time it shall appear that the sum required to be paid in has not been invested in the manner specified in the seventh section of this act, the Regents of the University are hereby empowered to vacate and annul said charter. (*Idem*, § 9.)

6. Subject to general liabilities, etc.

Every institution incorporated under this act shall have and possess all the powers and privileges, and be subject to the provisions, liabilities and restrictions of the eighteenth chapter of the first part of the Revised Statutes, so far as the same are applicable and have not been repealed. The board of trustees, which shall consist of not less than ten nor more than twenty-four persons, shall have power to make all needful by-laws and rules for the government and regulation of said college, the appointment of professors, instructors and other officers thereof, the term of office and election of trustees, and so forth, not inconsistent with this act and the laws of this State. Such by-laws may be altered or amended by a vote of two-thirds of the members constituting said board, notice being given at a previous regular meeting of said board. (*Idem*, § 10.)

7. Trustees may confer degree of M. D.

The trustees for the time being, of every college incorporated pursuant to this act, shall have power to grant and confer the degree of doctor of medicine upon the recommendation of the board of professors of said college, and of at least three curators of the medical profession appointed by said trustees. But no person shall receive a diploma conferring such degree, unless he be of good moral character and of the age of twenty-one years, and shall have received a good English education, and shall have pursued the study of medicine and the sciences connected therewith for at least three years after the age of sixteen years, and have received instruction from some physician and surgeon, fully qualified to practice his profession, until he is qualified to enter a medical college, and (except in cases hereafter provided) shall also after that age have attended two complete courses of lectures delivered in some incorporated medical college. (*Idem*, § 11.)

8. Indigent scholars.

The board of trustees of every such college shall, upon payment of matriculation and demonstrator's fees (which shall not exceed the sum of five dollars each), admit to its course of instruction, without further charge, any number of young persons of the State of New York (not exceeding ten at any one time), of good scholarship and moral character, who are in indigent circumstances; the evidence of qualification shall be a certificate from the judge of the county in which the applicant resides. (*Idem*, § 12.)

9. Incorporation under the law of 1848 for charitable, etc., purposes.

* Any five or more persons of full age, citizens of the United States, a majority of whom shall be citizens of this State, who shall desire to associate themselves for benevolent, charitable, scientific or missionary

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* Neither the original act, providing for the incorporation of benevolent, charitable, scientific and missionary societies (chap. 319, Laws 1848), nor the various acts amendatory thereof (chap. 51, Laws 1870; chap. 649, Laws 1872), authorize the incorporation of a medical college. The incorporation of such a college, purporting to have been organized under said acts, was not legalized by the provision of the act of 1882 (§ 2, chap. 367, Laws 1882). declaring all scientific and all literary colleges and universities organized under said acts, which have reported to the Regents within two years, to be legally incorporated; that provision has reference only to scientific and literary colleges whose incorporation was authorized under said acts, but in whose organization there was some defect. It seems that a medical college can now only be incorporated by special act, or under the act of 1853 (chap. 184, Laws 1853) providing for their organization. — (51 N. Y. Rep. [Sickels], p. 317.)

purposes, may make, sign and acknowledge before any officer authorized to take the acknowledgment of deeds in this State, and file in the office of the Secretary of State, and also in the office of the clerk of the county in which the business of such society is to be conducted, a certificate in writing in which shall be stated the name or title by which such society shall be known in law, the particular business or object of such society, the number of trustees, directors or managers to manage the same, and the names of the trustees, directors or managers of such society for the first year of its existence; and any corporation organized, or which may hereafter be organized, under the provisions of this act, may from time to time change the title of the members of their managing board, or increase or reduce the number thereof to not less than five, on the consent in writing of two-thirds of their number. Such amendment to be filed with the original certificate, but such certificate or amendment thereof shall not be filed unless by the written consent and approbation of one of the justices of the Supreme Court of the district in which the place of business or principal office of such company or association shall be located, to be indorsed on such certificate. (*Laws of* 1848, ch. 319, § 1, as amended by *Laws of* 1879, ch. 252, § 1.

The "Act for the incorporation of benevolent, charitable, scientific, and missionary purposes," passed April twelfth, eighteen hundred and forty-eight, shall be deemed to authorize the incorporation of any society for the purpose of establishing and maintaining any educational institution. (*Laws of* 1870, ch. 51, § 1).

Any university or college incorporated under the said act, or under this act, may take and hold by gift, grant, devise or bequest, property or endowment not exceeding in value or amount one million of dollars, subject however to the restriction upon devises and bequests contained in an act entitled "An act relating to wills," passed April thirteen, eighteen hundred and sixty. (*Idem*, § 3.)

This act shall apply as well to societies heretofore organized under the aforesaid act, as to those which shall be hereafter organized. (*Idem*, § 5.)

Hereafter no literary or scientific college or university shall be incorporated under the provisions of chapter 319 of the Laws of 1848, entitled "An act to provide for the incorporation of benevolent, charitable, scientific and missionary societies," and the acts amendatory thereof, without the approval of the Regents of the University of the State of New York, to be indorsed upon and filed with the certificate of incorporation, and the said Regents as a condition of such approval may impose such conditions as in their judgment they shall deem

advisable, which shall not conflict with said acts. (*Laws* of 1882, ch. 367, § 1.)

All scientific and all literary colleges and universities, organized under said acts, which shall have reported to the said Regents within the two years last past are hereby declared legally incorporated, and all degrees heretofore and hereafter conferred by them are declared valid; and all such colleges and universities shall be subject to the same duties, obligations and liabilities and to the same control and visitation of said Regents as colleges and universities chartered by said Regents. (*Idem*, § 2.)

10. Trustees declared a corporation.

The trustees of every college, to which a charter shall be granted by the State, shall be a corporation. (1 R. S., 460, § 31.)

11. Number and meetings of trustees.

The trustees shall not exceed twenty-four, nor be less than ten in number, and a majority of the whole number shall be a quorum for the transaction of business. (*Idem*, § 35.)

Seniority among the trustees shall be determined according to the order in which they are named in the charter of the college; and after all the first trustees shall become extinct, according to the priority of their election. (*Idem*, § 34.)

The trustees shall meet upon their own adjournment, and as often as they shall be summoned by their chairman, or in his absence, by the senior trustee, upon the request in writing of any other three trustees. (*Idem*, § 32.)

Notice of the time and place of every such meeting shall be given in a newspaper printed in the county where such college is situate, at least six days before the meeting; and every trustee resident in such county shall be previously notified in writing, of the time and place of such meeting. (*Idem*, § 33.)

12. Powers of trustees.

The trustees of every such college, besides the general powers and privileges of a corporation, shall have power:

1. To elect by ballot their chairman annually.

2. Upon the death, removal out of this State, or other vacancy in the office of any trustee, to elect another in his place by a majority of the votes of the trustees present.

3. To declare vacant the seat of any trustee who shall absent himself from five successive meetings of the board.

4. To take and hold, by gift, grant or devise, any real or personal property, the yearly income or revenue of which shall not exceed the value of twenty-five thousand dollars.

5. To sell, mortgage, let and otherwise use and dispose of such property, in such manner, as they shall deem most conducive to the interest of the college.

6. To direct and prescribe the course of study and discipline to be observed in the college.

7. To appoint a president of the college, who shall hold his office during good behavior.

8. To appoint such professors, trustees and other officers as they shall deem necessary, who, unless employed under a special contract, shall hold their offices during the pleasure of the trustees.

9. To remove or suspend from office the president and every professor, tutor or other officer employed under a special contract, upon a complaint in writing by any member of the board of trustees, stating the misbehavior in office, incapacity or immoral conduct of the person sought to be removed, and upon examination and due proof of the truth of such complaint, and to appoint any other person in place of the president or other officer thus removed or suspended.

10. To grant such literary honors as are usually granted by any university, college or seminary of learning in the United States; and in testimony thereof to give suitable diplomas under their seal and the signature of such officers of the college as they shall deem expedient.

11. To ascertain and fix the salaries of the president, professors and other officers of the college.

12. To make all ordinances and by-laws necessary and proper to carry into effect the preceding powers. (1 R. S., 460, § 36.)

13. Accumulation of income from trust funds.

The income arising from any real or personal property granted or conveyed, devised or bequeathed in trust to any incorporated college, or other incorporated literary institution, for any of the purposes specified in the "act authorizing certain trusts," passed May 14, 1840, or for the purpose of providing for the support of any teacher in a grammar school or institute, may be permitted to accumulate till the same shall amount to a sum sufficient, in the opinion of the Regents of the University, to carry into effect either of the purposes aforesaid, designated in said trust. (*Laws of* 1846, ch. 74; 1840, ch. 318.)

14. Location limit.

* * * * * Nor shall any college have, or institute, a medical faculty, to teach the science of medicine, in any other place than where the charter locates the college. (1 R. S. 455, § 21.)

15. License to practice medicine.

From and after the date of the taking effect of this act, no person not theretofore licensed, or authorized to practice physic or surgery, in this State shall be deemed so licensed or authorized, except one of the three following classes:

First. All who shall have been graduated from an incorporated medical school or college in the State with the degree of doctor of medicine, after substantial compliance with all the requirements of the general laws and of the charter of said corporation regulating the term and amount of study, attendance and attainment requisite to obtain said degree; provided that no person shall receive the degree of doctor of medicine, or be licensed to practice physic or surgery in this State, unless after the age of eighteen he shall have pursued the study of medical science for at least three years in a chartered medical school or with some physician and surgeon duly authorized by law to practice physic or surgery; and shall have attended two complete courses of lectures in some legally incorporated medical school or college, in good standing at the time of such attendance, prior to the granting to him, or her, a diploma or license; provided, further, that two courses of lectures both of which shall be either begun or completed within the same calendar year, shall not satisfy the above requirement.

Second. All who have received said degree from the Regents of the University of the State of New York after substantial compliance with the legal requisites preliminary to its attainment, and after examination by a legally constituted board of medical examiners of this State.

Third. All who have been graduated from incorporated medical schools or colleges without the State as doctors of medicine, or licensed to practice physic or surgery under the laws of those European countries in which said degree does not confer the right so to practice, shall procure their diplomas from said corporations, or their licenses from such countries, to be indorsed by the faculty of an incorporated medical school or college within this State, or by the Regents of the University on the recommendation of a legally constituted board of medical examiners of this State. Every such indorsement shall be in the form of schedule A, or of schedule B, provided by the tenth section of this act. Every corporation or board so indorsing, shall keep a record of their indorsements, and may require applicants to verify their statements under oath; any indorsement made with fraudulent intent, or gross carelessness or ignorance, shall

be deemed a misdemeanor, and shall subject the indorser or indorsers, upon conviction thereof, to a fine of two hundred and fifty dollars. (*Laws of* 1887, ch. 647.)

16. Miscellaneous provisions.

No religious qualification or test shall be required from any trustee, president, principal, or other officer of any incorporated college or academy, or as a condition to any privilege in the same. (1 R. S. 463, § 49.)

No president, professor or tutor of any incorporated college, or principal of any incorporated academy, who shall be a trustee, shall have a vote in any case relating to his own salary or emoluments. (1 R. S. 464, § 51; *Laws of* 1876, ch. 132, § 2.)

Every diploma granted by such trustees shall entitle the possessor to all the immunities which by usage or statute are allowed to possessors of similar diplomas granted by any university, college or seminary of learning in the United States. (1 R. S. 461, § 37.)

17. Vacancies in colleges and academies.

In case the trustees of any college shall leave the office of president of the college, or the trustees of any academy shall leave the office of principal of the academy, vacant, for the space of one year, the Regents shall fill up such vacancy, unless a reasonable cause shall be assigned for such delay, to their satisfaction. (1 R. S. 458, § 20.)

18. Powers of appointee.

The person so appointed, shall continue in office during the pleasure of the Regents, and shall have the same powers, and the same salary, emoluments and privileges, as his next immediate predecessor in office enjoyed. (*Idem*, § 21.)

19. Amount of salary.

If such president or principal had no immediate predecessor in office, he shall have such salary as the Regents shall direct, to be paid by the trustees out of the funds or property of their college or academy. (*Idem*, § 22.)

20. Annual reports.

Every college and academy that shall become subject to the visitation of the Regents, shall make such returns and reports to the Regents, in relation to the state and disposition of its property and funds, the number and ages of its pupils, and its system of instruction and discipline, as the Regents shall from time to time require. (1 R. S. 464, § 55.)

Every college and academy, subject to the visitation of the Regents of the University, shall make up its annual report and transmit the same to the Secretary of the Regents on or before the first day of October, in each year.* (*Laws of* 1879, ch. 289.)

21. Regents to prescribe forms.

The Regents shall prescribe the forms of all returns, which they shall require from colleges and other seminaries of learning subject to their visitation, and may direct such forms and such instructions as from time to time shall be given by them as visitors, to be printed by the State printer. (1 R. S. 459, § 29.)

22. Academic year.

Every academy or institution of learning subject to the visitation of the Regents, is hereby required, as early as possible after the passage of this act, at a legal meeting of the trustees, to declare on its minutes the termination of its academic year, and which, in all cases, shall be some period between the twentieth day of June and the fifteenth day of September, in each year. (*Laws of* 1856, ch. 54.)

23. Charters to be recorded.

All applications for charters for colleges and academies, and all charters for colleges or academies, granted by the Regents of the University, and all amendments or alterations of the same, shall be recorded in the office of the Secretary of the Board of Regents, instead of the office of the Secretary of State. (*Laws of* 1855, ch. 471, § 1.)

The fees for recording applications as to colleges and academies, and for other services mentioned in section two of the said act thereby amended, are hereby abolished. (*Laws* 1870, ch. 60, § 2.)

The said Regents are hereby authorized to cause to be transcribed into a book, to be by them provided and kept for that purpose, all applications for charters of colleges and academies, all charters thereupon granted, and all amendments to the same at present found recorded in Book of Deeds forty-three, now remaining in the office of the Secretary of State. (*Laws of* 1855, ch. 471, § 3.)

24. Regents may amend and repeal charters.

The said Regents may, at any time, on sufficient cause shown, and by an instrument under their common seal, to be recorded as aforesaid, alter, amend or repeal, the charter of any college, university,

*The managers and officers of the various corporations, societies and institutions required by law to report to any State board, department or bureau, shall forward their annual reports to such board, department or bureau, on or before the first day of November in each year. (*Laws* 1886, ch. 588, § 11.)

academy or other institution of learning which may hereafter be incorporated by them; and may, on the petition of any college, academy or other institution of learning in this State, now existing and subject, or which may hereafter become subject, to their visitation, alter or modify the charter, and the rights, powers and privileges of such institution in such manner and on such terms and conditions as they may deem proper. (*Laws of* 1853, ch. 184, § 2.)

II. ORDINANCES.

1. Incorporation of colleges.

When any application is made to the Regents for the incorporation of a literary college under the sixth section of the act of the Legislature, passed the 5th day of April, 1813, entitled "An act relating to the University," or under chapter 184 of the Laws of 1853, entitled "An act relative to the incorporation of colleges and academies," or in pursuance of chapter 367 of the Laws of 1882, as a condition for granting a full and absolute charter for the incorporation of such college the applicants will be required to satisfy the Regents that suitable buildings for the use of the college have been provided, or the funds for the erection of such buildings have been secured and are on hand, and that funds, to the amount of one hundred thousand dollars, for the endowment of such college have been secured and are safely invested in bonds and mortgages on unincumbered lands within this State, or in stocks of the United States, or in the stocks of this State or of incorporated cities of this State.

2. Provisional incorporation.

Whenever it shall appear to the satisfaction of the Regents that the sums required for the erection of suitable buildings for a college, and for providing an endowment fund of at least one hundred thousand dollars for such college, have been subscribed in good faith by valid subscriptions of responsible parties or have been otherwise secured to the satisfaction of the Regents, and in case the Regents shall approve of the plans and purposes as set forth in the application for the proposed incorporation, then the said Regents will in their discretion issue a provisional charter for such college for the term of five years, with a condition or proviso therein, that if, within the term of five years, the trustees of said college shall present to the Regents satisfactory evidence that suitable buildings have been provided, and the sum of one hundred thousand dollars has been invested as an endowment fund for said college then the charter shall be made perpetual; otherwise at the expiration of the said five years the same shall terminate and become void.

3. Incorporation of medical colleges.

Whenever application for the incorporation of a medical college shall be made to the Regents under the sixth and following sections of chapter 184 of the Laws of 1853, and it shall appear to the satisfaction of said Regents that the sum of fifty thousand dollars has been paid in or has been invested in buildings and site for said college, and in the needful equipments of said college, then the Regents shall grant a charter for the absolute incorporation of said college.

4. Provisional incorporation of medical colleges.

Whenever it shall appear to the satisfaction of the Regents, that in pursuance of chapter 184, of the Laws of 1853, the sum of fifty thousand dollars has been subscribed in good faith for the endowment of a medical college by the valid subscriptions of responsible parties, and that at least two-thirds of that sum has been paid in or secured in such a manner as the Regents may approve, then the said Regents will grant a charter for the incorporation of such college for a term of five years, with the condition or proviso therein, that if within the said term of five years, the trustees of said college shall present to the Regents satisfactory evidence that the whole sum of fifty thousand dollars has been paid in and invested, the charter shall be perpetual, otherwise said charter shall terminate and become void.

5. Medical departments of colleges.

In case the trustees of any college incorporated by the Regents shall desire to establish and maintain a medical department in connection therewith, it shall be required that in addition to the provision called for by the first section of this ordinance, they shall possess and set apart for the exclusive use of said medical department, buildings and funds and other property to the value of fifty thousand dollars; and whenever evidence satisfactory to the Regents, shall be submitted to them, that such sum of fifty thousand dollars has been provided and set apart, then they shall by a duly authenticated instrument, grant authority for the establishment of a medical department.

6. Annual reports of colleges.

The annual reports* made by the several colleges of the State to the Regents, as required by law, are required to contain returns upon the following heads:

1. Calendar of the principal events during the last collegiate year.

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* Blank forms for such reports are sent annually to the colleges to be filled out and returned.

2. List of the officers and members of the board of trustees, with their residences.

3. The officers and members of the faculty and other instructors, with the department of instruction and the compensation of each.

4. Number and classification of students in each department, according to classes, residence in this and other States, and sex.

5. Degrees conferred by the trustees during the year, and from the origin of the institution:

1st. Number receiving the Baccalaureate degree in arts and in science, males and females.

2d. Number receiving the Master's degree in course, in arts and in science, males and females.

3d. Recipients of honorary degrees, name, residence and degree of each recipient.

6. College honors, prizes, scholarships, etc.:

1st. College honors; title of each honor and names of recipients.

2d. Prizes, scholarships, etc.; title and value of each and names of recipients.

7. Subjects of study:

1st. Requirements for admission, in Latin, Greek and modern languages, mathematics, and any other subjects.

2d. Studies of undergraduate classes; number of lectures and exercises for each class during the year in each of the following departments of courses in arts and in science, to wit: Ancient languages, modern languages, English language and literature, mathematical sciences, physical sciences, natural sciences, history and political sciences, and philosophical sciences.

8. Grounds and buildings:

1st. Dimensions, character and estimated value of grounds.

2d. Dimensions, character and uses of the several buildings, and their estimated value, including furniture.

9. Educational collections.

1st. Library ; number of volumes added during the year, present whole number of volumes and their estimated value.

2d. Apparatus: Physical, chemical, and of any other kind, with estimated value of each kind.

3d. Collections other than the above ; name and estimated value of each.

4th. Any additional statements relative to collections.

10. College property ; summary of values of grounds and buildings, educational collections, investments in United States and State stocks, corporate bonds and stocks, bonds and mortgages, real estate

other than college grounds and buildings, and other property; also, debts at end of year, and net property. Any additions to the property during the last year are to be reported, together with any benefactions received, the names of donors, and the amount, objects and conditions of each donation.

11. Revenue and expenditures.

1st. Revenue from tuition and other receipts from students, from income of invested funds, and from all other sources.

2d. Expenditures, for salaries paid for instruction, for prizes, scholarships, etc., for gratuitous aid to students, for improvements and repairs, for fuel and other incidentals, for interest on debt, and for all other purposes.

12. Estimated expenses of students, for tuition fees per year, and for board at the average price per week.

13. Additional information, such as relating to changes in the organization and plans of the college, the erection of buildings, the increase of facilities for instruction, and the benefactions received by the college.

14. Conclusion and authentication of the report.

[Modifications of this form for literary colleges are furnished for the reports of medical colleges and medical and law departments.]

Chapter III.

Incorporation of Academies.

I. LAWS.

1. Academies, how incorporated.

The founder or founders and benefactor or benefactors of any academy, or as many of them as shall have contributed more than one-half in value of the property collected for the use thereof, may make to the Regents an application in writing under their hands requesting that such academy may be incorporated, nominating the first trustee or trustees, and specifying the name by which the corporation is to be called. (1 R. S. 461, § 38; amended *Laws of* 1886, ch. 493.)

In case the Regents shall approve thereof, they shall, by an instrument under their common seal, declare their approbation of the incorporation of the trustee or trustees of such academy, by the name specified in such application; and the request and instrument of approbation shall be recorded in the office of the Secretary of the Board of Regents. (*Idem*, § 39; amended *Laws of* 1886, ch. 493; *Laws of* 1855, ch. 471, § 1.)

Immediately after recording the same, the property and funds of such academy shall be vested in the trustee or trustees so nominated, for the use and benefit of the academy. (1 R. S. 462; amended *Laws of* 1886, ch. 493, § 40.)

2. Regents to establish rules and to incorporate.

The Regents of the University shall, by general rules and regulations to be established by them from time to time, prescribe the requisites and conditions for the incorporation by them of any college, university, academy or other institution of learning, pursuant to the power vested in the said Regents by the act entitled "An act relative to the University," passed April 5, 1813, and by the Revised Statutes of this State. The said Regents are hereby empowered at any time by an instrument under their common seal, which shall be recorded in the office of the Secretary of the Board of Regents,* to incorporate

* These were previously recorded in the office of the Secretary of State.

any university or college, or any academy, or other institution of learning under such name, with such number of trustees or other managers, and with such powers and privileges and subject to such limitations and restrictions, in all respects as may be prescribed by law, or as the said Regents shall deem proper in conformity thereto; and every institution so incorporated, in addition to the powers which may be vested in them as aforesaid, shall have the general powers of a corporation under the Revised Statutes of this State. (*Laws of* 1853, ch. 184, § 1.)

3. Concerning stock corporations.

It shall be lawful for any academy or high school for literary, scientific, charitable or religious purposes, to issue, create and possess a capital stock not exceeding fifty thousand dollars, which stock shall be deemed personal property and shall be issued in shares of not less than ten dollars each to the several persons subscribing for and paying in the same; and in the election of trustees of any such corporation, each stockholder shall be entitled to give one vote upon each share of stock actually owned by him at the time of such election. (*Laws of* 1851, ch. 544, § 1; *Laws of* 1853, ch. 184, § 4.)

Whenever any such corporation formed for the purpose of establishing an academy or high school shall have erected a building for school purposes of the value of two thousand dollars, and shall in all other respects comply with the conditions provided by law to authorize the Regents to incorporate academies, said corporation shall be declared an academy by the Regents of the University, and shall enjoy all the rights and privileges conferred by law on the academies of this State. (*Idem*, § 2.)

No academy or institution of learning shall hereafter pay to its stockholders, shareholders, or other persons claiming rights of ownership therein, any dividends, or any portion of its earnings or other income, from whatever source derived, while there is any outstanding indebtedness against the said academy or institution. (*Laws of* 1859, ch. 426, § 1.)

4. Charters to be recorded.

All applications for charters for colleges and academies, and all charters of colleges and academies, granted by the Regents of the University, and all amendments or alterations of the same, shall be recorded in the office of the Secretary of the Board of Regents, instead of the office of the Secretary of State. (*Laws of* 1855, ch. 471, § 1.)

The fees for recording applications as to colleges and academies, and for other services mentioned in the second section of the said act hereby amended, are hereby abolished. (*Laws of* 1870, ch. 60, § 2.)

The said Regents are also hereby authorized to cause to be transcribed into a book, to be by them provided and kept for that purpose, all applications for charters of colleges or academies, all charters thereupon granted, and all amendments to the same at present found recorded in book of deeds number forty-three, now remaining in the office of the Secretary of State. (*Laws of* 1855, ch. 471, § 3.)

5. Regents may amend and repeal charters.

The said Regents may at any time, on sufficient cause shown, and by an instrument under their common seal, to be recorded as aforesaid, alter, amend or repeal the charter of any college, university, academy or other institution of learning, which may hereafter be incorporated by them; and may, on the petition of any college, academy or other institution of learning in this State, now existing and subject, or which may hereafter become subject to their visitation, alter or modify the charter, and the rights, powers and privileges of such institution, in such manner and on such terms and conditions as they may deem proper. (*Laws of* 1853, ch. 184, § 2.)

6. Trustees declared a corporation.

The trustee or trustees of every such academy shall be a corporation, by the name expressed in the instrument of approbation ; they shall not be more than twenty-four, and in case they shall be less than twelve in number, a majority of the whole number shall be a quorum for the transaction of business, and in case they shall be more than twelve in number, seven trustees shall be a quorum for the transaction of business. Where there shall be but one trustee, the corporation shall have succession by the executors or trustees of such trustee, to be duly appointed by his last will and testament. Nothing herein contained shall be construed to exempt the said trustee, and such executors or trustees as he may appoint by his last will and testament, as aforesaid, from legal liability for contracts which may be made by him or them concerning the corporation, but he or they shall be legally liable for the debts of the corporation to the same extent and in the same manner as if he or they had acted in his or their individual capacity. Where there shall be but one trustee he shall be subject to all the duties and liabilities and possess all the powers imposed or conferred in this title upon trustees of academies. (1 R. S. 462, § 41, amended by *Laws of* 1886, ch. 493; *Laws of* 1835, ch. 34, § 3.)

7. Powers of trustees.

Such trustees, besides the general powers and privileges of a corporation, shall have authority:

1. To adjourn from time to time, as they may deem expedient.

2. To elect by ballot their president, who shall hold his office for one year, and until another be chosen in his place.

3. Upon the death, resignation, refusal to act, removal out of this State, or other vacancy in the office of any trustee, to elect another in his place, by a majority of the votes of the trustees present.

4. To take and hold by gift, grant or devise, any real or personal property, the clear yearly income or revenue of which shall not exceed the value of four thousand dollars.

5. To sell, mortgage, let, or otherwise use and dispose of, such property, for the benefit of the academy.

6. To direct and prescribe the course of discipline and study in the academy.

7. To appoint a treasurer, clerk, principal, masters, tutors, and other necessary officers of the academy; who unless employed under a special contract, shall hold their offices during the pleasure of the trustees.

8. To ascertain and fix the salaries of all the officers of the academy.

9. To remove or suspend from office any officer employed under a special contract, upon a complaint in writing by a trustee, of the misbehavior in office, incapacity or immoral conduct, of such officer, and upon examination and due proof of the truth of such complaint, and to appoint another person in the place of the officer so removed or suspended.

10. To make all ordinances and by-laws necessary and proper to carry into effect the preceding powers. (1 R. S. 462, § 42.)

8. Meetings of trustees.

The trustees shall meet upon their own adjournment, and so often as they shall be summoned by their president, or the senior trustee actually exercising his office, and residing within three miles of such academy, upon the request in writing of any other three trustees. (1 R. S. 463, § 43.)

Every meeting so requested shall be held at such time and place as the president or senior trustee shall appoint, not less than five, nor more than twelve, days from the time of the request. (*Idem*, § 44.)

Previous notice in writing of every such meeting shall be affixed on the door of the academy, within two days after its appointment; and at every meeting, adjourned or special, the president, or senior trustee present, shall preside. (*Idem*, § 45.)

The seniority of the trustees shall always be determined according to the order of their nomination in the written application to the Regents; and after all the first trustees shall become extinct, according to the priority of their election. (*Idem*, § 46.)

9. Non-attendance of trustees.

If a trustee shall refuse or neglect to attend any two successive legal meetings of the trustees, after having been personally notified to attend, and if no satisfactory cause of his non-attendance be shown, the trustees may declare his office vacant. (*Idem*, § 47.)

If any trustee of any academy shall, for one year, refuse or neglect to attend the legal meetings of the board of trustees of which he is a member, such non-attendance shall be deemed a resignation of the office of such trustee. (*Laws of* 1835, ch. 123, § 2.)

10. Number of trustees, how reduced.

Where the number of trustees of any academy shall exceed twelve, the trustees thereof, at their annual meeting, may reduce the number of the original board of trustees to any number, not less than twelve, by abolishing the offices of those who may omit to attend such meeting, and shall have omitted to attend two other legal meetings after notice. (1 R. S. 463, § 48.)

Where the number of trustees of any academy shall exceed twelve, and a vacancy shall happen in the office of any such trustees, and the vacancy shall not be filled by the election of another trustee within six months after the happening of such vacancy, the office of the trustee so becoming vacant shall be abolished. (*Laws of* 1835, ch. 123, § 3.)

11. Powers of trustees of stock corporations.

The trustees of any academy possessing a capital stock pursuant to the act chapter five hundred and forty-four of the Laws of eighteen hundred and fifty-one, may by their by-laws prescribe the mode and manner of electing trustees of the said academy, and may make all necessary rules and regulations relative to such election; and the said trustees may, if they so determine, be divided into three classes as nearly equal as may be, who shall serve respectively one, two and three years, such terms of service to be determined by drawing therefor under the direction of the said trustees; and the trustees thereafter elected shall serve three years. The trustees may fill all vacancies occurring in their number by death, resignation, removal from the State, or otherwise; and any election of trustees by any academy, under said law, heretofore held, is hereby affirmed and made valid, provided, that this act shall not affect any action heretofore brought arising out of any such election. (*Laws of* 1853, ch. 184, § 3.)

12. Special provisions as to trustees.

No religious qualification or test shall be required from any trustee, president, principal, or other officer of any incorporated college or

academy, or as a condition for admission to any privilege in the same (1 R. S. 463, § 49.)

No professor or tutor of any incorporated academy shall be a trustee of such academy. (1 R. S. 464, § 50; *Laws of* 1876, ch. 132, § 1.)

No president, professor or tutor of any incorporated college, or principal of any incorporated academy, who shall be a trustee, shall have a vote in any case relating to his own salary or emoluments. (1 R. S. 464, § 51; *Laws of* 1876, ch. 132, § 2.)

13. Academical departments of union schools, how established.

The board of education of every union free school district shall severally have power to establish in the same an academical department, whenever in their judgment the same is warranted by the demand for such instruction. (*Laws of* 1864, ch. 555, title ix, § 13.)

Every academical department, established as aforesaid, shall be under the visitation of the Regents of the University, and shall be subject, in its course of education and matters pertaining thereto (but not in reference to the buildings or erections in which the same is held), to all the regulations made in regard to academies by the said Regents. In such departments the qualifications for the entrance of any pupil shall be as high as those established by the said Regents for participation in the literature fund of any academy of the State under their supervision. (*Idem*, § 23.)

14. Academy merged in a union school.

Whenever a union free school shall be established under the provisions of this title, and there shall exist within its district an academy, the board of education, if thereto authorized by a vote of the voters of the district, may adopt such academy as the academical department of the district, with the consent of the trustees of the academy, and thereupon the trustees, by a resolution to be attested by the signatures of the officers of the board, and filed in the office of the clerk of the county, shall declare their offices vacant, and thereafter the said academy shall be the academical department of such union free school. (*Idem*, § 24.)

15. Union free school, how dissolved.

In any union free school district established under the laws of this State, it shall be the duty of the board of education, upon the application of fifteen resident taxpayers of such district, to call a special meeting in the manner prescribed by law, for the purpose of determining whether application shall be made in the manner hereinafter provided for the dissolution of such union free school district, and

for its reorganization as a common school district or districts. (*Laws of* 1880, ch. 210, § 1.)

Whenever, at any such meeting called and held as aforesaid, it shall be determined by a majority vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes, not to dissolve such union free school district, no other meeting for a similar purpose shall be held in said district within three years from the time the first meeting was held, and whenever, at any such meeting called and held as aforesaid, it shall be determined by a two-thirds vote of the legal voters present and voting, to be ascertained by taking and recording the ayes and noes to dissolve such union free school district, it shall be the duty of the board of education to present to the clerk of the board of supervisors a certified copy of the call, notice and proceedings, and the said clerk shall lay the same before the board of supervisors at their next meeting. If the board of supervisors shall approve of the proceedings of said meeting, the clerk shall certify the same to the board of education. Such approval shall not take effect until the thirtieth day of September next succeeding; but after that date such district shall cease to be a union free school district. (*Idem*, § 2.)

If there shall be in such dissolved union free school district an academy which shall have been adopted as the academic department of the union free school, under the provisions of title nine, chapter five hundred and fifty-five of the laws of eighteen hundred and sixty-four, it shall, upon the application of a majority of the surviving resident former trustees or stockholders, be transferred by the board of education to said former trustees or stockholders. (*Idem*, § 4.)

16. General act of incorporation.

Any five or more persons of full age, citizens of the United States, a majority of whom shall be citizens of this State, who shall desire to associate themselves for benevolent, charitable, scientific or missionary purposes, may make, sign and acknowledge before any officer authorized to take the acknowledgment of deeds in this State, and file in the office of the Secretary of State, and also in the office of the clerk of the county in which the business of such society is to be conducted, a certificate in writing in which shall be stated the name or title by which such society shall be known in law, the particular business or object of such society, the number of trustees, directors or managers to manage the same, and the names of the trustees, directors or managers of such society for the first year of its existence; and any corporation organized, or which may hereafter be organized, under the

provisions of this act, may from time to time change the title of the members of their managing board, or increase or reduce the number thereof to not less than five, on the consent in writing of two-thirds of their number. Such amendment to be filed with the original certificate, but such certificate or amendment thereof shall not be filed unless by the written consent and approbation of one of the justices of the supreme court of the district in which the place of business or principal office of such company or association shall be located, to be indorsed on such certificate. (*Laws of* 1848, ch. 319, § 1, as amended by *Laws of* 1879, ch. 252, §1.)

The "Act for the incorporation of benevolent, charitable, scientific and missionary purposes," passed April twelfth, eighteen hundred and forty-eight, shall be deemed to authorize the incorporation of any society for the purpose of establishing and maintaining any educational institution. (*Laws* of 1870, ch. 51, § 1.)

Any university or college incorporated under the said act, or under this act, may take and hold by gift, grant, devise or bequest, property or endowment not exceeding in value or amount one million of dollars, subject, however, to the restriction upon devises and bequests contained in an act entitled "An act relating to wills," passed April thirteen, eighteen hundred and sixty. (*Idem*, § 3.)

This act shall apply as well to societies heretofore organized under the aforesaid act, as to those which shall be hereafter organized. (*Idem*, § 5.)

II. ORDINANCES.

1. Absolute and provisional charters.

Under the authority conferred on them by law, the Regents of the University will grant charters for the incorporation of academies in the manner following, that is to say, *first* for the absolute incorporation of an academy on the basis of an endowment of property already in the possession of the applicants, comprising the grounds, buildings and equipments required for such academy as hereinafter described, and, *second*, for the provisional incorporation of an academy on the basis of subscriptions made for the purpose of securing the necessary grounds, buildings and equipments, and organizing said academy; and in either such case the incorporation may be granted on the basis of contributions made as absolute gifts, for the endowment of the proposed academy, or as capital stock to be issued in shares to such contributors.

2. Conditions for an absolute charter.

Whenever an application is made for the incorporation of an academy with an absolute charter, it shall be required, as conditions precedent to such incorporation, that the applicants shall have contributed more than one-half in value of the property for its endowment; that they shall have in their possession, to be transferred to the trustees of the corporation when appointed, property amounting to at least five thousand dollars over and above all incumbrances; and that the debts shall not exceed the one-third part of said property; and that beside the buildings, which, as required by law, must be of the value of at least two thousand dollars, said property shall include a library of suitable books worth at least five hundred dollars, and apparatus and collections suitable for instruction in physics, chemistry and natural history, worth at least five hundred dollars; and that reasonable assurances exist of a sufficient income for the suitable support of said academy, and of the attendance thereat of at least twenty-five scholars, who are qualified to pursue the proper studies of an academy.

3. Conditions for a provisional charter.

Whenever an application is made for the provisional incorporation of an academy, for the purpose of securing the necessary grounds, buildings and equipments and organizing said academy, it shall be required that the applicants shall have procured valid subscriptions amounting to not less than five thousand dollars, of which said applicants shall be subscribers for more than one-half; that at least ten per cent of the amount subscribed shall have been paid in. And it is hereby provided that unless within two years from the granting of said provisional incorporation proper buildings and equipments shall be procured and a suitable course of instruction be organized for said academy, then at any time thereafter the charter may be declared by the Regents to be null and void; and it is further provided that said academy is not to be entitled to any part of the funds distributed by law to the incorporated academies of the State until the buildings and equipments as required by the ordinances of the Regents have been procured and until the provisional charter has been declared absolute.

4. Conditions for the admission to visitation of academies already incorporated.

Whenever the trustees of any academy incorporated by the Legislature, or otherwise under any act of the Legislature, shall make application to be admitted to the visitation of the Regents, it shall be

required that such trustees shall present evidence of the possession on the part of the academy of property amounting to at least five thousand dollars over and above all incumbrances, and that the debts of said academy shall not exceed the one-third part of said property; and that beside the buildings, which, as required by law, must be of the value of at least two thousand dollars, said property shall include a library of suitable books, worth at least five hundred dollars, and apparatus and collections suitable for instruction in physics, chemistry and natural history, worth at least five hundred dollars; and that reasonable assurances exist of a sufficient income for the suitable support of said academy, and of the attendance thereat of at least twenty-five scholars, who are qualified to pursue the proper studies of an academy.

5. Contents of applications for a charter or for admission to visitation.

Every application to the Regents of the University for an absolute charter for the incorporation of an academy, founded on the endowment of property already possessed by the applicants, and every application of an academy, incorporated by the Legislature, to become subject to the visitation of the Regents, shall set forth, with all practicable precision, and in such form as is or shall be prescribed by the Regents, a particular statement showing —

1. The extent, general description, title and value of the grounds on which the academy edifice is erected, or which is used for its accommodation at the time of making such application.

2. The dimensions, general description, and value of the buildings erected on such ground for the use or accommodation of such academy, at the time last aforesaid.

3. An inventory or catalogue of all the books and articles of philosophical or other apparatus belonging to such academy, with a just and fair estimate of their value, at the time last above referred to.

4. A particular statement of all incumbrances on such academic property, or on any part thereof, at the time last above mentioned.

6. Amendment or alteration of charter.

The trustees of any academy desirous of obtaining amendments to, or alterations in its charter shall give notice of their intended application to the Regents for the same at least six weeks successively in a newspaper published at or near the location of said academy, and shall present along with their application, duly authenticated proof of said publication.

7. Conditions for the admission of academical departments to visitation.

Whenever the board of education of any union school shall make application to have the academical department of said school admitted to a participation in the funds distributed by the Regents, it shall be required as a condition of such admission, to submit to said board satisfactory evidence of the following, viz. :

1. That said academical department is provided with suitable and sufficient buildings and grounds for its accommodations.

2. That it possesses a library of suitable books worth at least five hundred (500) dollars, and apparatus and collection, suitable for instruction in physics, chemistry and natural history, worth at least five hundred (500) dollars.

3. That the said board of education has reasonable assurances of a sufficient income for the suitable support of said academical department, and of the attendance thereat of at least twenty-five scholars, who are qualified to pursue the proper studies of an academy.

8. When an academy becomes an academical department.

Whenever an academical department of a union school shall be established by the adoption of an existing academy, as authorized by chapter 555, title 9, section 24 of the Laws of 1864, such department shall not be recognized and allowed to participate in the distribution of funds apportioned by said Regents of the University, until it shall have been formally received under visitation, on due application made by the board of education of such union school, in the form prescribed for academical departments established *de novo.* (1880, *January* 9.)

III. FORMS.

9. Form for incorporation with an absolute charter when the ground has been procured, the buildings erected and library and apparatus provided.

To the Regents of the University of the State of New York:

The application of the subscribers, inhabitants of ....., in the county of .....,

Respectfully represents:

That being desirous to found an academy at ....., in the county of ....., they have, for that purpose (together with others, if the fact be so), procured a suitable lot, erected a suitable building thereon, and supplied it with a suitable library and apparatus, for the accommodation of such academy as will appear by the following description:

1. Ground for Academy Buildings.

The lot of ground on which the buildings of said academy stand, or which is to be used for its accommodation, consists of [here state the

quantity, either in acres or parts of acres, or the number of feet in breadth and depth. State the title to the ground, whether in perpetuity, or for a term of years. Give a general description of all improvements (except buildings) made on it. After giving all such and similar data on which estimates of value depend, state the present value of the ground, including fences, ornamental trees, and all other improvements, except buildings].

2. ACADEMY BUILDINGS.

The buildings erected on the ground above described, and to be used for the accommodation of the academy, consist of [here describe the principal buildings, with their dimensions; state when and of what materials they are built; give a general description of their internal divisions, fitness or convenience for use, etc. Then state their present condition as to their being in or out of repair, and if out of repair, what will be the probable cost of putting them in good repair. After giving all such and similar data on which estimates of value depend, state the present actual value of such buildings].

3. TITLE OF PROPERTY, INCUMBRANCES, ETC.

The evidences of title to the property described in the preceding sections of this report have been submitted to....., of....., who is a counselor-at-law in the Supreme Court, whose certificate in writing, as to the nature and validity of said title, accompanies this report.* The said property is free from all incumbrances [if such be the case, or if there be any incumbrances on it, state the general amount of them, and refer to certificate of said counsel for particulars, etc.].

4. ACADEMY LIBRARY.

The library belonging to said proposed academy, as more fully appears by the catalogue hereto attached, consists of the following:

Number of volumes.....
Original cost ..... $
Present value .....

[Give a general description of the condition of the books in the library in respect to their being new or old, in good order or worn, etc.]

* The certificate of counsel must state his examination of the title submitted to him, with his opinion as to the nature and validity of such title, and also, that he has caused the ordinary searches to be made for incumbrances on such property, with the result of such searches.

5. Philosophical Apparatus.

The original or first cost, so far as can be ascertained, and the present value of the apparatus and collections suitable for instruction in physics, chemistry and natural history at the date of this application, as more fully appears by the inventory hereto attached:

Original cost ..... $
Present value .....

[Give a general description of the condition of the apparatus in respect to its being new or old, in good order or injured, etc.]

6. Other Academic Property.

The property of the proposed academy, other than the academy lot, buildings, library and apparatus above described, consists of [here describe the property in the most general terms, such as the following]:

Bonds and mortgages, notes and subscriptions, considered good ..... $
Real estate, consisting of.....

Total ..... $

7. Debts.

The debts contracted on account of the academy now asked to be incorporated, and which remain unpaid at the date of this application, amount to ..... $

Net value of property..... $

8. Summary Statement.

The total value of all the academic property above described, is as follows:

Value of lot for academy buildings..... $
Value of buildings thereon .....
Value of library .....
Value of philosophical apparatus.....

Total value of lot, buildings, library and apparatus..... $
Deduct for incumbrances and debts, if any, thereon.....

Balance of value over and above all incumbrances and debts.. $
Add for other academic property .....

Total net value of property..... $

And the said subscribers further represent, that they have contributed more than one-half in value of the property collected for the use of said academy, as hereinbefore set forth; that they are desirous to have the said academy incorporated,* by the name of [here state the name, which it is desirable should be descriptive of the place where the academy is]; and to that end they hereby nominate, as the first trustees of said academy [give christian names in full]:

The said subscribers do, therefore, hereby make application to the Regents of the University for the incorporation of the persons above nominated as the first trustees of said academy by the name above specified. [Here follow the signatures of the subscribers, which must be in their own handwriting.]

Authentication of Application.

The preceding application was submitted to a meeting of the subscribers, held by them on the ..... day of ....., at which meeting the following named persons were present [state names], and having been read and approved, it was duly adopted as the application of said meeting, and ordered (after being verified by the oath of the chairman or presiding officer) to be transmitted to the Regents of the University, pursuant to their ordinance in such case made and provided. All of which is hereby done in obedience to said order this ..... day of .....

(Signed,) A. B.,
Chairman or Presiding Officer.

Affidavit above referred to.

State of New York, }
County of ..... } *ss.:*

A. B., being duly sworn (or affirmed, as the case may be), deposeth and saith, that he was the chairman or presiding officer of the meeting, held as above stated, of contributors to the proposed academy; that he is acquainted with the contents of said application, and that the statement of facts therein set forth is in all respects true, to the best of his knowledge, information and belief.

(Signed,) A. B.

Subscribed and sworn before me, }
this .... day of ....., 18.. }

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* If the charter is to be founded on capital stock, insert the words, "with a capital stock to be divided into .... shares, of .... dollars each."

Catalogue of Books.

[Give in this catalogue the titles, original or first cost, so far as can be ascertained, and the present value of each book, explaining, when necessary, as to the condition of the several books as to repair.]

TITLES OF BOOKS.	Number of volumes.	Original cost.	Present value.
		$	$
Total of each column	.....	$	$

Inventory of Apparatus.

[Include in this inventory the apparatus used in physics and chemistry, the collections illustrative of the several branches of natural history, and globes, maps and charts; giving, when necessary, explanations as to the condition of the several articles.]

DESCRIPTION OR NAME OF EACH ARTICLE.	Original cost.	Present value.
	$	$
Total of each column	$	$

Form of Charter Granted on the Preceding Application.

University of the State of New York.

By the Regents of the University of the State of New York:

Whereas, ... and others, by an instrument in writing under their hands, bearing date the ..... day of ..... in the year 18.., after stating that they had contributed more than one-half in

value of the real and personal property and estate collected or appropriated for the use and benefit of the academy erected at the ..... of ... ., in the county of ....., did make application to us the said Regents, in the form and manner required by law, and by the ordinances of us the said Regents in that behalf, that the said academy might be incorporated by the name of ....., and that ..... might be the first trustees of the said academy, and it having been made to appear to our satisfaction, that the said academy is endowed with suitable academic buildings, library and apparatus, and conceiving the said academy calculated for the promotion of literature, we the said Regents do, by these present, pursuant to the statute in such case made and provided, signify our approbation of the incorporation of the trustees of the said academy, by the aforesaid name of ....., and that the same shall be subject to the visitation of us and of our successors, as provided by law. On condition, however, that the said endowment shall never be diminished in value below five thousand dollars, and that the same shall never be applied to purposes other than for public academic instruction; subject also to the ordinance of us, the said Regents, as to the debts of academies, passed January 15, 1857.

In witness whereof, we, the said Regents, have caused our common seal to be hereunto affixed, and our Chancellor and [L. S.] Secretary to subscribe their names, this ..... day of ....., in the year one thousand eight hundred and .....

.....

Chancellor.

.....

Secretary.

10. Form of application for a provisional incorporation founded on contributions made as gifts for the endowment of an academy.

To the Regents of the University of the State of New York:

The petition of the undersigned, inhabitants of the ....., in the county of ....., respectfully represents:

That they are desirous to found an academy at ....., in the county of ....., and that for the endowment of such academy, subscriptions have been obtained to the amount of ..... dollars, as will appear by a copy of the subscription list hereunto annexed, and from which it also appears that your petitioners have contributed more than one-half of the said amount thus subscribed. That at least ten per cent of the amount subscribed has been paid by or for each

subscriber in cash, and is now held by your petitioners or on their behalf, for the purposes of the incorporation herein prayed for. That all the said subscriptions are, as your petitioners believe, made in good faith and by parties who have the ability to pay the amount subscribed by them respectively, and that no other property has been contributed or collected for the said academy. That your petitioners request that the said academy may be incorporated by the name of ....., and they do hereby nominate the following persons as the first trustees thereof [give Christian names in full]:

The undersigned do therefore request the Regents to incorporate the persons above nominated as the first trustees of the said academy by the name above mentioned. It being distinctly declared and understood by your petitioners that the said incorporation is now asked for to facilitate the purchase of a site for the said academy and the erection of the necessary buildings therefor, and for the commencement and organization of a proper course of instruction therein; and that if a proper building for the purposes of the said academy shall not be provided or erected, and a suitable course of instruction be organized within two years from the granting of the charter prayed for, and a report of the same be made by the said trustees to the said Regents, containing all the particulars required in the case of an application for the incorporation of an academy by the said Regents, that then, at any time thereafter, the said charter, on a declaration to that effect to be made by the said Regents on their minutes, on evidence satisfactory to them, shall become and be absolutely void; and on the further understanding, that the said academy is not to be entitled to any part of the funds which may by law, from time to time, be distributed to or divided among the incorporated academies of the State, arising from the income of the Literature Fund or otherwise, until buildings and equipments of the character and value required by the ordinances of the Regents have been procured and until this provisional charter has been declared absolute.

The following is a copy of the subscription list above referred to:

....

.....

[Here follow the signatures of the petitioners who have contributed as above, in their own handwriting.]

.....

.....

[If any donations, other than in money, have been made to the academy, such as a lot for the site of the building, etc., etc., the fact

should be stated in the application, and the property described, and the value thereof, and the foregoing form should be altered to conform to the circumstances.]

AFFIDAVIT.

STATE OF NEW YORK, } ss.:
County of ..... }

A, B, C, [three at least] signers of the above application, being duly sworn (or affirmed, as the case may be), depose and say, that they are acquainted with the contents of the preceding application, and that the statement of facts therein set forth is in all respects true, to the best of their knowledge, information and belief, that they believe the said subscription to be a valid one, and that the application is made in good faith for the purposes therein stated.

(Signed,) A.
B.
C.

Subscribed and sworn before me, }
this .... day of ....., 18.. }

11. Form of application for a provisional incorporation, with a capital stock, pursuant to chapter 544 of the Laws of 1851, and chapter 184 of the Laws of 1853.

To the Regents of the University of the State of New York:

The petition of the undersigned, inhabitants of the ....., in the county of ....., respectfully represents:

That they are desirous to found an academy in the ....., in the county of ....., with a capital stock of ..... dollars, to be divided into shares of .... dollars each, pursuant to the act, chapter 544 of the Laws of 1851, and the act, chapter 184 of the Laws of 1853, and that subscriptions to the said capital stock have been procured to the amount of ..... dollars, as will appear by the list of said subscriptions, a copy whereof is hereto annexed, from which it also appears that your petitioners are the subscribers for more than one-half of the said amount. That at least ten per cent of the amount subscribed has been paid by or for each subscriber in cash, and is now held by your petitioners on their behalf, for the purposes of the incorporation herein prayed for. That all the said subscriptions are, as your petitioners believe, made in good faith and by parties who have the ability to pay the amount subscribed by them respectively. That your petitioners are desirous that the said academy may be incorporated by the name of ....., and that they do hereby

nominate the following persons as the first trustees thereof [give Christain names in full]:

.....

.....

The undersigned do therefore request the Regents to incorporate the persons above nominated as the first trustees of the said academy by the name above mentioned. It being distinctly declared and understood by your petitioners, that the said incorporation is now asked for to facilitate the purchase of a site for the said academy and the erection of the necessary buildings therefor; and for the commencement and organization of a proper course of instruction therein; and that if a proper building for the purposes of the said academy shall not be provided and erected, and a suitable course of instruction be organized within two years from the granting of the charter prayed for, and a report of the same made by the said trustees or their successors to the said Regents, containing all the particulars required in the case of an application for granting a charter to an academy already endowed with sufficient academic property, that then, at any time thereafter, the said charter, on a declaration to that effect to be made by the said Regents on their minutes, on evidence satisfactory to them, shall become and be absolutely void; and on the further understanding, that the said academy is not to be entitled to any part of the funds which may by law, from time to time, be distributed to or divided among the incorporated academies of the State, arising from the income of the Literature Fund or otherwise, until the said capital stock shall have been fully paid in, and until buildings and equipments of the character and value required by the ordinances of the Regents have been procured and until this provisional charter has been declared absolute.

The follo ving is a copy of the subscription list above referred to:

.....

.....

[Here follow the signatures of subscribers in their own handwriting.]

.....

.....

Affidavit.

State of New York, } ss.:
County of ....., }

A, B, C (three at least), signers to the above application, being duly sworn (or affirmed, as the case may be), depose and say, that they are acquainted with the contents of the preceding application; that the statement of facts therein set forth is in all respects true, to the best of their knowledge, information and belief; that they believe the said subscription to be a valid one, and that the application is made in good faith for the purposes therein named.

(Signed,) A.
B.
C.

Subscribed and sworn before me, }
this ..... day of ....., 18 , }

Form of Charter Granted on Either of the Two Preceding Applications.

University of the State of New York.

By the Regents of the University of the State of New York:

Whereas, ... and others, have in due form made application in writing, under their hands, to the said Regents, representing that they are desirous to found an academy in the ....., in the county of ..... [and have obtained subscriptions for the endowment of said academy amounting to ..... dollars] [(or if a stock corporation insert;) with a capital stock of ..... dollars, to be divided into ..... shares of ..... dollars each], and that they, the said applicants, are the subscribers for more than half the said amount, and requesting that the said academy may be incorporated by the name of ....., and nominating the following persons as first trustees thereof: ... . And the said Regents having considered the said application, do hereby, pursuant to the authority vested in them by law, declare their approbation of the incorporation of the persons in that behalf above named as trustees of the said academy, by the aforesaid name of ...., and do hereby incorporate the said academy accordingly, with the capital stock above mentioned, and subject to the visitation of the said Regents, and of their successors, as provided by law. On condition, however, that the said capital stock shall not be diminished in amount, and that the same shall never be applied to purposes other than for public academic instruction. And on the further condition

and understanding, that if a proper building for the purposes of the said academy shall not be provided or erected, and a suitable course of instruction be organized therein, within two years from the date hereof, and a report of the same be made by the said trustees, or their successors, to the said Regents, containing the particulars in that behalf required by their ordinances, that then, at any time thereafter, this charter on a declaration to that effect to be made by the said Regents on their minutes, on evidence satisfactory to them, shall become absolutely void. And it is also further expressly understood, that the said academy is not to be entitled to any part of the funds which may by law be distributed to or divided among the incorporated academies of this State, arising from the income of the Literature Fund, or otherwise, until the said capital stock shall have been fully paid in, and until a suitable academy building shall have been erected or procured, and a library and philosophical apparatus obtained for the said academy, of the character and value required by law and the ordinances of the said Regents, and until also it shall satisfactorily appear to the said Regents that their ordinance in regard to the debts of academies, passed January 15, 1857, has been fully complied with.

In witness whereof, the said Regents have caused their common seal to be hereunto affixed, and their Chancellor [L. S.] and Secretary to subscribe their names, this .... day of ....., in the year one thousand eight hundred and .....

....., *Chancellor.*

....., *Secretary.*

12. Form of application by the trustees of an academy provisionally incorporated, asking that the provisional charter may be declared absolute.

To the Regents of the University of the State of New York:

The trustees of ..... academy respectfully represent, that they received from your honorable body a provisional charter, bearing date ..... 18.., that they have founded an academy at ....., in the county of ....., procured a suitable lot, erected a suitable building thereon, and supplied it with a suitable library and apparatus for the accommodation of such academy, as will appear by the following description [here adopt the form prescribed for an application for an absolute charter].

The said trustees do therefore hereby make application to the Regents of the University, that the charter of their academy, issued and dated as aforesaid, be declared absolute, and that they be admitted to all the rights and privileges of academies incorporated with an absolute charter.

[Here is to follow the authentication of the application in the form prescribed under § 10.]

13. Form of application of an academy already incorporated by the Legislature, to become subject to the visitation of the Regents of the University.

To the Regents of the University of the State of New York:

The trustees of ..... academy, established at ....., respectfully represent, that they were incorporated by the Legislature on the ..... day of ....., 18..; that they are desirous to become subject to the visitation of the Regents of the University, to enable them to participate in the distribution of the moneys belonging to the Literature Fund, pursuant to the statute in such case made and provided; and to that end they hereby subject the said academy to the visitation of the said Regents, to the same extent and in the same manner as if they had been originally incorporated by them; and the said trustees herewith submit the following statement of the condition of their institution on the date of this application, in respect to the several subject-matters required to be embraced in it.

[Here adopt the form given under § 10, observing the fact that, as in one case there is an application for an incorporation, and in the other, the academy is already incorporated, it is necessary to use terms conformable to the respective cases.]

14. Form of application of the board of education of a union school to subject their academical department to the visitation of the Regents of the University.

To the Regents of the University of the State of New York:

The undersigned, constituting the board of education, or the trustees of the union school of ....., in the county of ....., respectfully represent:

That said union school has been established under the provisions of chapter .... of the Laws of 18..; that an academical department has been organized and is in operation in said school; that the said academical department is taught in the building appropriated to said school [or if a separate building has been provided, let it be so stated]; that a suitable library and apparatus have been provided, as will more

fully appear by the following description [here describe grounds and buildings, and give catalogue of library and apparatus, as directed in the form of application for the incorporation of an academy under § 10].

The undersigned do therefore hereby make application to the Regents of the University, that the said academical department may be received under their visitation, according to the provisions of law in such case made and provided. [To be signed by the members of the board of education.]

Authentication of Application.

State of New York, } *ss.:*
County of ....., }

A, B, being duly sworn (or affirmed as the case may be), deposes and says, that he is president of the board of education of .....; that he is well acquainted with the facts set forth in the preceding application to the Regents of the University, and that the same are in all respects true, to the best of his knowledge, information and belief.

(Signed,) A. B.

Subscribed and sworn before me, }
this .... day of ....., 18 . }

Chapter IV.

Distribution of the Literature Fund.

I. LAWS.

1. Apportionment of the Literature Fund.

There shall be paid annually by the Treasurer, on the warrant of the Comptroller, out of the revenues derived from the Literature Fund, to the several academies under the supervision of the Regents of the University, the sum of twelve thousand dollars, and the further sum of twenty-eight thousand dollars from the income of the United States Deposit Fund, being in all forty thousand dollars, according to an apportionment to be made by the Regents among the said academies, in proportion to the number of pupils in each who shall have pursued the requisite studies to enable them to share in said distribution. (*Laws of* 1851, ch. 536, § 1.)

2. Conditions of sharing in the apportionment.

No academy shall hereafter be allowed to participate in the annual distribution of the Literature Fund, until the Regents of the University shall be satisfied that a proper building has been erected and finished to furnish suitable and necessary accommodation for such school, and that such academy is furnished with a suitable library and philosophical apparatus, and that a proper preceptor has been and is employed for the instruction of the pupils at such academy; and further, that the Regents shall, on being satisfied that such building, library and apparatus are sufficient for the purposes intended, and that the whole is of the value at least of twenty-five hundred dollars, permit such academy or school to place itself under the visitation of the Regents, and thereafter to share in the distribution of the moneys above mentioned, or any other of the Literature Fund in the manner now provided by law. The Regents of the University may also admit to such distribution, and to any other of the literature fund, any incorporated school, or school founded and governed by any literary corporation other than theological or medical, in which the usual academic studies are pursued, and which shall have been in

like manner subjected to their visitation, and would in all other respects, were it incorporated as an academy, be entitled to such distribution. (*Laws of* 1838, ch. 237, § 8.)

3. Mode of apportionment.

Every such distribution shall be made in proportion to the number of pupils in each seminary, who, for four months during the preceding year, shall have pursued therein classical studies, or the higher branches of English education, or both. Provided that in making such distribution the Board of Regents shall be authorized to apportion a certain part of said moneys, not to exceed the one-fourth part thereof, in proportion to the number of pupils in the several academies and academic departments of union schools who during the preceding year have passed the advanced examinations provided for in section six of chapter four hundred and twenty-five of the Laws of eighteen hundred and seventy-seven, entitled "An act in regard to the instruction of common school teachers in academies and union schools and to the establishing of examinations by the Regents of the University as to attainments in learning." (1 R. S. 458, § 24; *Laws of* 1880, ch. 514, § 1.)

No pupil in any such seminary, shall be deemed to have pursued classical studies, unless he shall have advanced at least, so far as to have read, in Latin, the first book of Æneid; nor to have pursued the higher branches of English education, unless he shall have advanced beyond such knowledge of arithmetic (including vulgar and decimal fractions), and of English grammar and geography, as is usually obtained in common schools.—(1 R. S. 459, § 25.)

4. Schedule of the apportionment.

The Regents of the University shall annually deliver to the Comptroller a schedule of the distribution of the income of the said Literature Fund, designating the several institutions entitled to a participation, and the amount awarded to each; which schedule shall be delivered immediately after each annual distribution, and shall be authenticated by the signature of the Chancellor and Secretary of the said Regents of the University, and their corporate seal. (*Laws of* 1832, ch. 8, § 3.)

5. Warrant of the Comptroller.

The Comptroller shall draw his warrant on the Treasurer in favor of each institution for the sum so awarded to it, and shall direct the manner in which the same shall be receipted and drawn from the treasury. (*Idem*, § 4.)

6. Moneys, how applied.

All moneys received by any academy or other institution, in the annual distribution of the Literature and United States Deposit Funds, shall be applied exclusively, by the trustees of such academy or institution, towards paying the salaries of teachers. (*Laws of* 1859, ch. 426, § 1.)

7. Power of the Regents to grant relief.

The Regents of the University are hereby authorized and empowered to give such relief to academies in relation to the distribution of the public funds as has hitherto been rendered by the Legislature, whenever in their judgment such relief is equitable and just, or rendered necessary by error in their reports or by error in distribution of said funds. (*Laws of* 1857, ch. 527, § 4.)

II. ORDINANCES.

1. Date of apportionment.

The apportionment of the income of the Literature Fund among the academies under the visitation of the Regents shall be made each year by the Regents; and said Regents shall report to the Legislature the apportionment made by them, including the names of the several academies and the amounts by them apportioned to each.

2. Conditions of sharing in the apportionment.

No academy is allowed to participate in the apportionment of the the Literature Fund unless it shall appear from the annual report of its trustees last preceding such apportionment, that it is provided with buildings, furnishing suitable and sufficient accommodation; that its library and apparatus and other property have been maintained at the standard required for its original admission to the visitation of the Regents; that the sums heretofore apportioned to said academy from the Literature Fund have been used as required by law for the payment of the wages of teachers; that the grants made to it for the purchase of books and apparatus have been duly accounted for; and that proper provision is made for imparting instruction of an academic grade in said academy.

3. What scholars to be counted in the apportionment.

The scholars to be counted in the apportionment of the income of the Literature Fund shall be determined by the results of the examinations conducted by the Regents in the manner hereinafter described. A preliminary examination is held in arithmetic, geography, English grammar, spelling and reading, and scholars who satisfactorily pass in those subjects are classed as academic scholars

and those who have passed this examination at or before the close of the academic year for which the apportionment is made, are to be counted in the apportionment, provided they have pursued studies in advance of such preliminary subjects in the higher branches of English or in the classics, for not less than four months, embracing thirteen full weeks of study during the year for which such apportionment is made.

4. Apportionment on the basis of the advanced examinations.

In accordance with the provisions of chapter five hundred and fourteen, of the Laws of eighteen hundred and eighty, a portion of the income of the Literature Fund, not to exceed the one-fourth part thereof, shall hereafter be distributed in proportion to the number of pupils in the several academies, who during the preceding year have passed the advanced examination, and in such distribution the pupils to be counted shall be those, only, whose examination for intermediate certificates, or for diplomas, shall be completed at the academic examinations held during the academic year for which the apportionment is made; provided that they have been in attendance at said academies for a period of not less than thirteen weeks during said year; and for each such pupil who shall complete the examination required for the Regents' intermediate certificate, the sum of four dollars shall be allotted; and for each pupil who in like manner shall complete the examinations required for the academic diploma or college entrance diploma, the sums of ten dollars and fifteen dollars respectively; provided that the whole sum so distributed shall not exceed the one-fourth part of the amount appropriated from the Literature Fund as prescribed by law; and when a greater sum than said fourth part would be required, then the amount allotted for each pupil shall be so reduced that the whole sum shall conform to the legal limit.

5. Subjects of study required.

The statute which provides in regard to the distribution of the Literature Fund, that "every such distribution shall be made in proportion to the number of pupils in each seminary, who, for four months during the preceding year, shall have pursued therein classical studies, or the higher branches of English education, or both" (1 R. S. 458, § 24), is to be construed as requiring such pupils to pursue at least three subjects of study simultaneously during the period prescribed by law, of which at least two must be chosen from the subjects included in the advanced examinations, and a third may be any preliminary study or a study not included among the subjects of examination.

6. Schedules of pupils claimed in the apportionment.

It shall be the duty of the trustees of every academy, in their report to the Regents, to present a statement of the number of scholars in such academy claimed by them as entitled to be counted in the apportionment of the income of the Literature Fund; and such statement shall be accompanied by a schedule prepared by the principal, in accordance with the instructions, giving the names, ages, periods of attendance, time and place of passing the preliminary examination, subjects of study, text-books used and portions pursued, and all other matters relative to the several scholars claimed by the trustees in their report; and in such schedule shall be included only scholars conforming to the following conditions: 1°. They must, at the date of their report, have received or be entitled to receive the preliminary certificate of academic scholarship. 2°. They must have pursued the higher branches of English or the classics, or both, for three months (thirteen school weeks or more) of the academic year. 3°. Three subjects of study are required to have been pursued simultaneously, of which at least two must be included among the subjects of the advanced academic examinations.

7. Contents of principal's schedule.

The following are the contents of the principal's schedule, to the correctness of which he is required to make affidavit:

Column 1 contains the names of the scholars claimed as entitled to be counted.

Column 2 contains the age of each at the last birthday.

Column 3 contains the date (year and month) of the preliminary certificate.

Column 4 contains the date of intermediate certificate, if received during the year.

Column 5 contains the date of diploma, if received during the year.

Columns 6, 7 and 8 contain lists of studies, indicating the text-books and the portions of each pursued by the scholars during the several terms of the academic year.

8. Sums apportioned, how paid.

It shall be the duty of the Chancellor and Secretary to deliver to the Comptroller an authenticated copy of the schedule of the apportionment of the income of the Literature Fund made by the Regents, and to forward to the treasurer of each academy a notice of the amount to it apportioned, together with a blank form of draft to be executed by said treasurer and forwarded to the Comptroller of the State.

Form of Draft.

To the Treasurer of the State of New York:

Pay to the order of ....., the amount of money apportioned in January, 18 , to ....., by the Regents of the University, out of the income of the Literature Fund.

(Signed,) .....

Treasurer of .....

Dated at ....., 18...

It is hereby certified that ....., the person signing the above draft or order, is the treasurer of the said academy, duly appointed by the trustees thereof, and that the said draft was duly signed by him.

In witness whereof, the president of the board of trustees has hereto subscribed his name, and caused the corporate [L. S.] seal of the academy (if it possesses one) to be affixed, this ..... day of ....., 18...

.....

President (or *Secretary*) *of* .....

Chapter V.

Academic Examinations.

I. LAWS.

1. Power of Regents to inspect and examine.

The Regents are authorized and required, by themselves or their committees, to visit and inspect all the colleges and academies in this State, examine into the condition and system of education and discipline therein, and make an annual report of the state of the same to the Legislature, within ten days after the opening of the session in each year. (*Idem*, § 15, *Laws of* 1855, ch. 50, § 3.)

The Regents of the University shall have full power to examine by themselves or their Secretary, into the manner in which all institutions of learning subject to their visitation are conducted, to the end that they may report the same to the Legislature. (*Laws of* 1857, ch. 527, § 3.)

2. Examinations in academies.

The Regents of the University shall establish in the academies and academic departments of union schools, subject to their visitation, examinations in such branches of study as are commonly taught in the same, and shall determine the rules and regulations in accordance with which they shall be conducted; said examinations shall be prescribed in such studies, and shall be arranged and conducted in such a manner, as in the judgment of the Regents, will furnish a suitable standard of graduation from the said academies and academic departments of union schools, and of admission to the several colleges of the State; and they shall confer such honorary certificates or diplomas as they may deem expedient upon those pupils who satisfactorily pass such examinations. And the said Regents are hereby authorized to establish examinations as to attainments in learning of any persons applying for admission to the same, to prescribe rules and regulations for the admission of candidates to said examinations, and for conducting them, and to confer and award such degrees, honorary testimonials or diplomas to persons who satisfactorily pass such examinations, as the said Regents may deem expedient. They shall audit and certify

to the Comptroller all accounts for the expenses of establishing and conducting such examinations and all contingent expenses attending the same, and the amounts thereof shall be paid from the appropriation for this purpose made in the first section of this act. (*Laws of* 1877, ch. 425, § 6.)

3. Scholars from any common school to be admitted.

The said Regents shall cause to be admitted to the academic examinations established by them in academies and academical departments of union schools. Any scholar from any common school who shall apply for such examinations having the certificate of the principal teacher, or of any trustee of such school, that, in his judgment, such scholar is qualified to the said examination. (*Laws of* 1873, ch. 642, § 4.)

II. ORDINANCES.

1. Regulation of examinations.

The Regents have under authority of law established, in the academies under their visitation, a system of examinations, for the purpose of determining the ratio in which the income of the Literature Fund shall be distributed, and for the purpose of fixing a suitable grade for such studies as may be pursued therein. These examinations are held three times each year, as follows: The *first*, during the week in November immediately succeeding that in which the general election is held; the *second*, during the week commencing with the first Monday after Washington's birthday; the *third*, during the week commencing with the second Monday in June; and it shall be the duty of the Chancellor and Secretary from time to time to prepare and issue instructions for conducting such examinations in accordance with the laws and with the following ordinances.

2. Subjects of examinations.

There shall be a preliminary examination to determine what scholars are to be classed as academic scholars and be counted in the distribution of the Literature Fund. The subjects of examination shall be arithmetic, geography, English grammar and spelling and reading. It shall be so regulated as to mark the point at which scholars may be considered as having attained to such a knowledge of these subjects as may be acquired in the common schools of the State, and as being qualified to enter upon classical studies or the higher branches of English. Examinations shall also be held on such subjects as are required for admission to the colleges of the State, and on such other subjects as are usually pursued in academies, and such examinations shall be so graded and adjusted as to form a suitable standard of scholarship in the several subjects of academic study.

3. Plan of examinations.

The preliminary examination includes arithmetic, English grammar, geography, reading and spelling, as requisites for the Regents' preliminary certificate. The advanced examinations are arranged for two distinct courses of study — the one a classical course, termed the college entrance course, including those studies which are required for entrance into the freshman class of the principal colleges; the other English course, termed the academic course, designed as a proper standard for graduation from the academies. In the college entrance course, a diploma is granted on the completion of the entire group of subjects given in the fourth column. In the academic course a diploma is granted for algebra (through quadratics), American history, physical geography, physiology, rhetoric and plane geometry, together with eight additional subjects, four to be chosen from group I, and four from group II. In each course a certificate of progress termed an intermediate certificate is granted, viz.: In the college entrance course for algebra (through quadratics), American history and Cæsar's Commentaries, and in the academic course for algebra (through quadratics), American history, physical geography, physiology and rhetoric. The substitution of language studies for others in the academic course is allowed as follows, viz.: Cæsar's Commentaries and Xenophon's Anabasis for three subjects, Virgil's Æneid, French translation, or German translation, for two subjects, and Sallust's Catiline, Virgil's Eclogues, Cicero's Orations or Homer's Iliad, for one subject: *Except* that for at least two subjects in group I, and two in group II, and for algebra (through quadratics), geometry and American history, no substitution will be allowed. Pass-cards are issued to the candidate on passing in one or more of the subjects, and when they show a sufficient number of subjects passed, a claim, including the date of preliminary certificate must be sent to this office by the principal, and the certificate or diploma, to which the holder is entitled, will be issued.

SUBJECTS OF THE ACADEMIC COURSE.			COLLEGE ENTRANCE COURSE.
INTERMEDIATE.	GROUP I.	GROUP II.	
Algebra (through quadratics). American History. Physical Geography. Physiology. Rhetoric and Eng. Com.	Book-keeping. Civil Government. English Literature. History of England. History of Greece. History of Rome. Mental Philosophy. Moral Philosophy. Political Economy.	Algebra (higher). Astronomy. Botany. Chemistry. Drawing. Geology. Physics. Plane Trigonometry. Solid Geometry. Zoology.	Algebra (through quadratics). America History. Plane Geometry. Cæsar's Com., bks. 1-4. Sallust's Catiline. Virgil's Æneid, bks. 1-6. Virgil's Eclogues Cicero, six orations. Latin Composition. Xenophon's Anab. bks. 1-3. Homer's Iliad, bks. 1-3.
SUBSTITUTES IN ACADEMIC COURSE.			
Latin and Greek, Col. 4. French translation at sight. German translation at sight.	Plane Geometry required for either diploma		

Candidates are permitted to take the examinations in any order of subjects which may be convenient to them, and will be credited on the records with each subjects as may be passed by them; but no such candidate can receive a certificate or diploma of a higher grade unless he has already received the preliminary certificate; but candidates who shall allow an interval of three years to elapse without passing in additional subjects in the preliminary subjects, or five years in the advanced subjects will be deemed to have relinquished their candidacy, and will be dropped from the records.

4. Candidates admitted to the examinations.

Scholars of any academy under the visitation of the Regents, are entitled to be candidates at the examinations held therein.

"Any scholar from any common school who may apply for such examination, bearing the certificate of the principal teacher, or of any trustee of such school, that, in his judgment, such scholar is qualified to pass the said examination." (*Laws of* 1873, ch. 642, § 4.)

The privilege of the academic examinations held in the several academies may be extended to candidates not in actual attendance at such academies, under the following restrictions and conditions: *First*, that such candidates shall pass their examinations in the several subjects at the same time and under the same regulations as the candidates in attendance at such academies; *second*, that such candidates so examined at any academy shall not be counted in the claims of such academy for its share in the distribution of the Literature Fund; but such academy may be entitled to receive from each candidate a fee of one dollar for each subject entered for examination.

As the rules for the admission of attorneys and counselors-at-law adopted by the judges of the Court of Appeals May fourth, eighteen hundred and eighty-two, require that any person entering upon his term of legal study, "shall, if not a graduate of a college or university, pass the Regents' examination in arithmetic, grammar, geography, orthography, English and American history and English composition," it is especially directed that an opportunity to pass such examinations shall be provided at each of the academies in accordance with the terms of this section.

5. Supervision of the examination.

The examinations are to be held under the direction of a committee of at least three persons not teachers in the school, either ladies or gentlemen, or both, appointed by the trustees of the academy or academical department. The chief duty of the committee is to see that the regulations are rigidly observed in every particular.

In case it is preferred to have no committee, the principal is required to appoint a teacher to act with him in conducting the examinations. When examinations are held in two or more rooms at the same time the principal must appoint two teachers in each room, one to act as his deputy and one to act instead of a committee.

No person, except the principal, and his authorized deputy, the committee, any school commissioner, or any representative of the Regents, may be with or near the candidates during any session of the examination.

6. Question-papers.

The examinations are conducted in writing and sets of printed questions in all the subjects of examination will be issued at each examination. These question-papers will be sent to each academy on the application of the principal, each set sealed in a separate envelope. The principal must retain the question-papers in his own possession, and under no circumstances allow any question-paper envelope to be opened until the time arrives for examination in that particular subject.

7. Conditions to be complied with.

Candidates are to be allowed the prescribed time and no more for the completion of their answers; they are not to be allowed to give or receive aid; and at the expiration of the allotted time, they must subscribe to a declaration that prior to the session they had no knowledge of the questions to be proposed, and that they neither gave nor received aid in answering them.

8. Answer-papers.

The answer-papers of the candidates are to be examined by the committee or by the principal and other teachers, who are to determine whether they are, in their judgment, entitled to the required amount of credit to be passed. These answer-papers so approved are to be transmitted to the office of the Regents, accompanied by statements properly attested.

All answer-papers sent to the Regents, as above required, are reëxamined under their direction, and such as are not conformable to the instructions, or are found deficient or unsatisfactory, are disallowed. Notice of the result of this revision is sent to the principal. Pass-cards, showing the several subjects of the examination which have been satisfactorily passed, are issued to the candidates.

9. Certificates and diplomas.

To the candidates who have satisfactorily passed in arithmetic, English grammar, geography, spelling and reading, the Regents' preliminary certificate is issued, authorizing the admission of the person

to whom it is granted, into the academic class in any academy or academical department subject to visitation of the Regents, and entitling the holder to be counted in the apportionment of the Literature Fund.

The Regents' intermediate certificate and the Regents' academic and college-entrance diplomas are issued to the candidates who have passed in the subjects required by section three or four. The diploma is issued under the seal of the University and contains a list of the several subjects in which the candidate has passed.

The Regents reserve the right to revoke any testimonial on evidence satisfactory to them, showing that it was obtained through any disregard or violation of their regulations.

A special certificate is issued to candidates who pass the examinations called for by the rules established by the Court of Appeals for entering upon a law clerkship. The subjects required by these rules are "arithmetic, English grammar, geography, orthography, American and English history, and English composition." These examinations may be passed in the regular course of study at the academies, or under similar regulations before the special commissioner appointed for that purpose. The certificate is issued in duplicate, one copy to be filed with the clerk of the Court of Appeals, and the other, after having been certified by said clerk, to be retained by the candidate.

Chapter VI.

Books and Apparatus for Academies.

I. LAWS.

1. There shall be paid by the Treasurer, on the warrant of the Comptroller, out of the income of the Literature Fund, to the Regents of the University, three thousand dollars annually, to be assigned by them to such academies, subject to their visitation, for the purchase of text-books, maps and globes, or philosophical or chemical apparatus, as may apply for a part of the money for that purpose, on the terms prescribed in the second section of chapter one hundred and forty of the Laws of eighteen hundred and thirty-four. (*Laws of* 1851, ch. 536, § 3.)

2. Such sum to any academy shall not exceed two hundred and fifty dollars in any one year, and no part shall be actually paid over unless the trustees of the academy to which it is to be appropriated shall raise and apply an equal sum of money to the same object. (*Laws of* 1834, ch. 140, § 2.)

3. Payable from the United States Deposit Fund : For purchase of text-books, maps, globes and philosophical and chemical apparatus for academies, to be distributed by the Regents of the University, in the manner provided by law for the apportionment of the like appropriation from the Literature Fund, three thousand dollars. (*Laws of* 1884, ch. 550.)

II. ORDINANCES.

Adopted July 9, 1884.

1. The term academy, as used in these ordinances, shall include also such academical departments of union schools as have complied with the required conditions, and have been duly received under the visitation of the Regents ; and the term trustees, as applied to academies herein, shall include the boards of education of each academical department.

2. In order that any academy may obtain a grant from the appropriations for the purchase of books and apparatus, the trustees thereof are required to certify that they have raised a sum, equal to

that applied for, by contribution, donation, or from other sources independent of their own corporate property, and with the express view of applying for and receiving a like sum from the Regents. In the case of an academical department of a union school, it is held to be a compliance with this ordinance if the money is raised by a tax upon the taxpayers of the district.

3. The trustees in making such application must certify that the money contributed or raised for the purchase of books or apparatus has been actually paid to their treasurer, and at the date of such application is held by him to be used for the purposes specified. In order to constitute a compliance with this requirement contributions must be in money, and not in the form of books or apparatus. On receiving notice from the Board of Regents that their application has been received and is in proper form, the trustees shall be allowed in advance of the actual apportionment by the Regents, to expend the sum contributed and raised by themselves for the purposes specified.

4. No academy can receive a grant from these appropriations unless it shall appear from the annual report of its trustees last preceding such application, that its library and apparatus have been maintained at the standard required for its admission to the visitation of the Regents; that is to say: Academies received under visitation since July, eighteen hundred and eighty-two, shall possess a library worth at least five hundred dollars, and apparatus and collections worth at least five hundred dollars; and academies received under visitation previous to July, eighteen hundred and eighty-two, shall possess a library worth at least one hundred and fifty dollars, and apparatus worth at least one hundred and fifty dollars.

5. No academy shall receive a grant for the purchase of books and apparatus for two years in succession; and the maximum grant for any year shall be one hundred and fifty dollars; and the Regents reserve the right, in case the applications shall in future so require, to decrease the maximum grant to such smaller sum as may be necessary in order to restrict the applications to the amount appropriated.

6. In case the applications received and on file at the date hereinafter prescribed shall be in excess of the sums appropriated, then the amount of said appropriation shall be apportioned *pro rata* among the applications so received.

7. In any application for a grant for the purchase of books and apparatus, the trustees shall distinctly specify the character of the books and the apparatus which they propose to purchase, or in case they so prefer, they may give definite lists of the books or articles proposed to be purchased. The term "text-book" as used in chapter

five hundred and thirty-six, section thirty-three of the Laws of eighteen hundred and fifty-one, is construed to include all standard books designed for use as class or text-books and such other books of reading and reference as are useful for the purposes of academic instruction. The term apparatus shall be understood to include philosophical and chemical apparatus, globes and maps, and collections of specimens in natural history; but it shall not include musical instruments, nor chemicals, nor such laboratory articles as are in their nature perishable.

8. In the annual report to the Regents made by the trustees of any academy, next succeeding the date at which it has received a grant for the purchase of books and apparatus, it is required that a statement be made as to the expenditure of the moneys for such purposes, including both the amount granted by the Regents and the amount contributed or raised as a condition of such grant. Said statement shall comprise a priced catalogue of the books, and an inventory with prices of the apparatus so purchased and held as the property of the academy. And until the trustees of any academy do so account for the expenditure of such moneys, the amount unaccounted for will be withheld from its share in the distribution of the Literature Fund, and such academy will not be eligible for any new grant.

9. Applications for grants for the purchase of books and apparatus, in order to be included in the general apportionment, must be filed at the office of the Regents on or before the thirtieth day of November. Later applications can only be considered in case the amount appropriated is not exhausted by applications received up to said date, and in that case will be considered in the order in which they are received.

III. FORMS.

1. Form of application for a grant for books and apparatus.

To the Regents of the University of the State of New York:

The trustees of ..... academy respectfully represent that they have raised or caused to be raised, the sum of ..... dollars, to be applied to the purchase of books or philosophical or chemical apparatus, pursuant to the statute in such case made and provided; that the said sum has been raised by donations or contributions from *sources independent of their own corporate property, or by taxation;* that the *same has been actually paid to their treasurer and is held by him for the purpose aforesaid; that the said money has been so raised or contributed* [here state the source from which the money was raised, whether by subscription, tax, or otherwise] *with the express view* of applying for

and receiving a like sum from the Regents for the purpose contemplated in the statute; and that it is intended to apply the said sum of money, together with the money hereby applied for pursuant to said act, to the purchase of the books and articles of apparatus particularly specified in the schedule hereunto annexed.

The said trustees, therefore, hereby apply to the Regents of the University for an appropriation to the said academy of the sum of ..... dollars out of the moneys mentioned in the said act, to be applied, together with the like sum raised by them as above mentioned, before the date of the next annual report, to the purposes stated in said schedule, pursuant to the provisions of the act above referred to.

Done by the trustees of said academy, at a legal meeting held the .... day of ....., etc., at which meeting the following trustees were present [state their names]: and having been read and approved, it was duly adopted at the said meeting as the application of said academy, and ordered (after being verified by the oath of the presiding officer at said meeting and recorded on the minutes of its proceedings) to be transmitted to the Regents of the University, pursuant to the provisions of their ordinance in such case made and provided.

All of which is hereby done in obedience to said order, this ... day of ....., etc.

A. B.,
President,
(or *President pro tem.*, as the case may be)
of ..... *Academy.*

Affidavit Above Referred to.

State on New York,
County of .....,} *ss.:*

A, B, being duly sworn, deposes and says that he is one of the trustees of ..... academy, whose application to the Regents of the University immediately precedes this affidavit; that he officiated as the presiding officer at the meeting of the trustees of said academy, referred to in the concluding part of said application; that the statement of facts therein set forth is true, so far as the same is properly within his personal knowledge, and that all the other statements he believes to be true.

(Signed,) A. B.

Subscribed and sworn before me,
the .... day of .....

2. Form of draft for money apportioned for the purchase of books and apparatus.

UNIVERSITY OF THE STATE OF NEW YORK.

DRAFT FOR MONEY APPORTIONED BY THE REGENTS, JANUARY ...., 188..

LITERATURE FUND.

To the Hon. ....., *Comptroller, etc., State Hall, Albany, N. Y.:*

Please draw your warrant in my favor for ..... dollars, being the amount apportioned by the Regents of the University, January 12, 1883, to ..... for the purchase of books and apparatus.

$..... Signed, ...

Treasurer of .....

Dated at ....., 188..

STATE OF NEW YORK, } *ss.:*
County of..... }

It is hereby certified that ....., the person signing the above draft or order, is the treasurer of the said institution, duly appointed by the trustees thereof; and that the said draft was duly signed by him.

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